15 *May* 1818.

(Ireland.)

A

B I L L

For the further Encouragement and better Regulation of the *Irish* Fisheries.

Note.—*The Figures in the Margin denote the Number of the Folios in the written Copy.*

1 WHEREAS the Improvement of the *Irish* Fisheries, and more especially the White Herring Fishery, is an object of the most essential importance to the wealth and commercial prosperity, as well as to the naval strength of the United Kingdom of Great Britain and Ireland; for the attainment of which it is expedient, that more effectual Regulations should be made, in order to the insuring a due and proper attention to the curing, sorting and packing of such Herrings and Fish, and that the credit of the Fisheries of the United Kingdom, in our Colonies and in Foreign Parts, may be maintained; Preamble.

BE it therefore Enacted by The KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT an Act made in the Parliament of Ireland in the twenty-fifth year of the reign of His present Majesty, intituled, "An Act for the further Improve-
2 "ment and extension of the Fisheries on the coasts of this Kingdom;" and also an Act made in the Parliament of Ireland in the twenty-sixth year of the reign of His present Majesty, to explain and amend the said recited Act of the twenty-fifth year aforesaid; and also an Act made in the Parliament of Ireland in the twenty-seventh year of the reign of His present Majesty, to amend the said recited Act of the twenty-fifth year aforesaid; and also an Act made in the Parliament of Ireland in the twenty-eighth year of the reign of His present

Irish Acts; 25 G. 3. c 35; 26 G. 3. c. 20, 27 G. 3. c. 31 28 G. 3. c. 27;

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present Majesty, intituled, "An Act to explain and amend the Laws "relative to the Fisheries on the coasts of this kingdom;" all which Acts have, by several Acts, been from time to time continued, and are in force until the twenty-ninth day of September one thousand eight hundred and eighteen, shall, from and after the

continued by various Acts to 29th Sept. 1818, these then to cease and determine.

cease and determine, and shall no longer be in force and effect.

A Bounty of £.3 per ton to be paid annually to the Owners of Busses employed in the deep sea Irish Fishery

And be it further Enacted, That from and after the day of one thousand eight hundred and a bounty of British currency per ton, shall be paid annually, in the manner hereinafter prescribed, to the owner or owners of any whole decked buss or vessel, of not less than 3 tons burthen, being British or Irish built, or having been taken and condemned as lawful prize, owned in Ireland, and manned, navigated, and registered according to law, which shall be fitted out for and be actually employed in the deep sea Irish Fishery; on the coasts of Great Britain or Ireland, in the manner and under the regulations prescribed by this Act; provided that such bounty shall not, in respect of any buss or vessel, be computed or paid on any greater number of tons than one hundred, although such buss or vessel shall be of greater burthen: Provided always, that if any buss or vessel, properly fitted for the deep sea Irish Fishery in the manner required by this Act, shall be hired for carrying on the said Fishery, the person or persons hiring the same shall be entitled to the bounty on the tonnage thereof, in the same manner as if such person or persons was or were owner or owners of such buss or vessel.

Manner of Fishing in the deep sea Fishery.

Provided always, and be it Enacted, That no vessel shall be deemed or considered to be employed in the said deep sea Irish Fishery, unless the nets shall be attached to the vessel while they are set, and shall be shot directly from and hauled into the same without the intervention or use of a small boat for that service, the vessel 4 not being at anchor while the crew are shooting the nets, nor during the time they are set, nor while the crew are hauling or taking them in, nor unless the Herrings and fish caught or taken in the manner aforesaid, shall receive their first cure on board such vessels in barrels and not in bulk.

Allowing an additional Bounty of £.1 per Ton for the first thirty Busses fitted out for and employed in the deep sea Irish Fishery, and entitled to the Bounty of £.3 per ton.

And be it further Enacted, That for or in respect of the first thirty busses which shall be fitted out and licensed for and shall be employed in the said deep sea Irish Fishery, according to the regulations of this Act, and the crews of which shall respectively take cure and pack the quantity of Herrings hereby required, the owner or owners thereof who shall be entitled to the said bounty of Three Pounds per ton shall be respectively entitled to a further bounty of per ton for one year

and

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and that of the busses the crews of which shall have taken the said quantity of Herrings, those shall be preferred which shall have been first fitted out and licensed; and in case of equality in that respect, those busses the crews of which shall have taken the greater quantity of Herrings shall be preferred to those which shall have taken a less quantity thereof.

A Bounty of 4s. per barrel to be paid on White Herrings taken in the Irish Fishery.

And be it further Enacted, That from and after the said
5 day of there shall be paid for every barrel containing thirty-two gallons of White Herrings caught in the Irish Fisheries, either in the deep sea Fishery or in the locks or bays or on the coasts of Ireland, and landed in Ireland, and which shall be cured and packed according to the directions of this Act, a bounty of British currency; and for every hundred weight of well cured dried Cod, Ling, Hake, Haddock, Glassing, and Conger Eel, caught in the said Fisheries and landed in Ireland, a bounty of British currency.

and on dried Cod, &c. per cwt.

What Vessels shall be deemed to be fitted out for the Irish Herring Fishery;

and what Herrings deemed to be brought from the Fishery.

And be it further Enacted, That any vessel or boat which shall be laden, at any port or place in Ireland, with salt in bulk or in barrels, intended to be used in the curing of Herrings in bulk or in barrels, by the master and crew thereof, such Herrings having been taken by the said master and crew on any part of the coasts of Great Britain, Ireland, or the Isle of Man, or purchased fresh by the said master, on any part of the said coasts, from the crews of other British or Irish boats by whom the same were taken, shall be deemed and taken to be a vessel or boat fitted out for the Irish Herring Fishery, within the meaning of this Act; and where any such vessel or boat
6 having been so fitted out for the Irish Fishery, and having proceeded to any part of the coast of Great Britain, Ireland, or the Isle of Man, where the Fishing of Herrings shall have been carried on, and of which the master and crew shall have there taken or purchased Herrings, fresh and cured the same, in bulk or in barrels, shall arrive laden therewith in any port or place of Ireland, or where any Herrings, taken or purchased and cured as aforesaid, shall have been transshipped out of any such vessel or boat into any other vessel or boat which shall arrive laden with the said Herrings in any port or place in Ireland; then and in either of these cases all such Herrings shall be deemed to have been brought from the Irish Fishery, within the meaning of this Act.

Bounties on Exportation of Mackarel, Cod, Ling, &c. exported.

And be it further Enacted, That from and after the said day of upon the exportation from Ireland to any parts beyond the seas, except to Great Britain and the Isle of Man, of the several sorts of well cured Fish hereafter mentioned, taken in the said Fisheries, there shall be paid the several bounties hereafter set forth; that is to say, For every barrel containing

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taining thirty-two gallons, wherein good sound and well cured Mackarels shall be packed, the sum of
British currency; for every hundred weight of dried Cod, Irish Ling, 7
Hake, Haddock, Glassing, and Conger Eel, the sum of
British currency; and for every barrel containing thirty-two gallons, wherein wet Cod, Haddock, Hake, Glassing, and Conger Eel shall be packed, the sum of
British currency; and that there shall be paid upon the exportation of every ton of Oil extracted from Whales or other Fish taken on the coasts of Ireland and manufactured therein, and exported to any parts beyond the seas, except to Great Britain and the Isle of Man, a bounty of British currency; and upon the exportation of every hundred weight of all Fins of Whales, commonly called Whalebone, taken on the coasts of Ireland and manufactured therein, and so exported, the sum of
British currency; and that all the said bounties shall be paid under such rules regulations and restrictions, as shall be from time to time made and directed by the Commissioners of Customs and Port Duties in Ireland.

Drawback in respect of Duty on Salt or Fish exported.

AND whereas it is reasonable that a Compensation should be made for the duties paid on Foreign or British Salt consumed in the curing and repacking Fish intended for exportation; BE it therefore Enacted, That upon the exportation of any Herrings, or other Fish caught in the Irish Fisheries, either in the deep sea Fishery, or in the Lochs or Bays or on the coasts of Ireland, a drawback in the usual way shall 8
be allowed of the duties which have been paid on Portugal, Spanish, Mediterranean, or British Salt, which shall be used in curing or repacking such Fish, due proof being first made that the said Fish was cured and repacked in the manner prescribed by this Act, and that such Salt had actually paid all duties of Customs payable thereon; provided that such allowance shall not exceed the duty payable on bushels of such Salt for every twelve barrels of Herrings, Mackarel, Cod, Ling, Hake, Haddock, Glassing, or Conger Eel, containing thirty-two gallons, and so in proportion for any greater or less quantity, and for every hundred weight of dried Fish.

Owners of Fish exported having been taken according to directions of this Act, shall on due entry and shipping, make oath of the Port designed for, and give security not to re-land

Provided always, and be it Enacted, That the owners of such Fish as shall be taken according to the directions of this Act, shall, on making a due entry at the Custom House, and shipping the same for exportation, depose on oath the port they are designed for, and shall also become bound with two sufficient sureties unto His Majesty, His Heirs and Successors, in the penalty of such sum as shall be equal to the bounty on the tonnage of his vessel intended by this Act, and also the value of such bounties as he or they

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they shall receive or be entitled to by virtue of this Act, conditioned not to re-land the Fish intended to be exported in any port, haven or creek, or other place in Great Britain, Ireland, or the Isle of Man, unless in case of distress, which shall be immediately made known to some one or more of the officers of the Customs of the port nearest to where such vessel shall be stranded, which bond the collector of the port is hereby required to take; and the said bonds are hereby declared to be good and valid in the law, for the sums respectively contained therein, and shall be in force for the space of three years against the obligors therein mentioned, their heirs, executors and administrators.

the same in any Port, &c. in Great Britain, Ireland, or Man.

And be it further Enacted, That if any master or other person, having charge of a vessel in which any Fish shall be exported, and a bounty claimed for the same, shall reland or permit or suffer any Fish, or any part thereof to be relanded in Ireland or in Great Britain or the Isle of Man, unless in case of actual distress, such master or other person having charge of said vessel, shall forfeit treble the value of such Fish so relanded, and every seaman or other person who shall assist in relanding the same, shall forfeit the sum of

Penalty on relanding Fish exported.

And be it further Enacted, That it shall be lawful for any number of the Commissioners of customs and port duties, not less than three, to meet together from time to time, and to act as Commissioners specially for overseeing, directing, and better improving the Irish Fisheries, with power to them or any three of them, to execute or cause to be executed, the provisions of this Act in the manner herein mentioned; provided always, that no person shall act as a Commissioner under the authority of this Act, who shall be concerned directly or indirectly in the said Fisheries or any of them.

Commissioners of Customs may act as Commissioners for the Irish Fisheries.

And be it further Enacted, That it shall be lawful for the said Commissioners of customs, or any of them so acting as Commissioners for the said Fisheries, to employ any secretary, clerks or officers in the service of the said Commissioners of customs, in and about the execution of any of the provisions of this Act; and that all officers of the said Commissioners of customs shall have the like powers and authorities for the execution of this Act, as they have for the execution of any Act or Acts relating to the revenue of customs and port duties in Ireland; and that such clerks and officers shall be paid such salaries or allowances for their trouble in the execution of this Act, as the said Commissioners acting in the execution of this Act shall think proper and sufficient, by and with the consent and approbation of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being.

Officers of the Customs shall be employed in execution of this Act.

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Commiſſioners for the Fiſhery to be ſworn.

And be it further Enacted, That every Commissioner of customs and port duties and taxes, before he shall proceed to act as a Commissioner for the Irish Fisheries in the execution of the powers and authorities vested in the said Commissioners by this Act (save only the administering the oath hereinafter mentioned) shall severally take and subscribe the following oath; (that is to say) 11

OATH.

"I, *A. B.* do swear, That I will faithfully and honestly, according to the best of my skill and judgment, execute the several powers and trusts reposed in me by an Act passed in the fifty-eighth year of the reign of His Majesty King *George* the Third, intituled [*here insert the Title of this Act*] according to true intent and meaning of the said Act; and that I am not directly or indirectly concerned as an adventurer in the said Fishery, or as a curer of Herrings or other Fish; nor will I, so long as I shall continue to act a Commissioner under the said Act, be concerned either directly or indirectly as an adventurer in the said Fishery, or as a curer of Fish. So help me GOD."

Which oath any one of the said Commissioners may administer to the other or others of them.

Commiſſioners ſhall report annually to Parliament.

And be it further Enacted, That the said Commissioners or any of them acting in execution of this Act, shall and they are hereby required, in the month of March in each year, to cause to be laid before each House of Parliament a full and accurate report of their proceedings in the execution of this Act, for the year ending the preceding, signed by of the said Commissioners acting as Commissioners of the said Fishery of Ireland. 12

The Admiralty may appoint an Officer of the Navy to be Superintendant of the deep ſea Iriſh Fiſhery, and alſo of the Fiſhery in bays, &c.

And be it further Enacted, That it shall be lawful for the Lords Commissioners of the Admiralty, upon the application of the said Commissioners for the Irish Fisheries, to appoint a commissioned officer in His Majesty's navy as Superintendant of the Fishery described in this Act as the Deep Sea Fishery, for the purpose of causing the same to be carried on according to the regulations of this Act, and also as well for preserving order among the persons employed therein, as for protecting them and their vessels against enemies; and also, upon the application of the Commissioners for the Irish Fisheries, from time to time to appoint a commissioned officer of His Majesty's navy as Superintendant of the Irish Fishery carried on in the lochs and bays and upon the coasts of Ireland, not in the deep sea, for the purpose of preserving order among the fishermen and other persons engaged in the said Fishery in the said lochs and bays and on the coast as aforesaid; and that the person so to be appointed Superintendant

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Superintendant of the deep sea Fishery, shall annually proceed, in a
13 proper vessel or vessels of sufficient force to be provided for that purpose, to [ ] (which is hereby appointed to be the general place of rendezvous of the said deep sea Irish Fishery,) so as to arrive there before the fifteenth day of June; and the said superintendant shall remain with the vessels which shall be employed in the Fishery during the continuance thereof for the season, and shall, as often as he shall be required, transmit to the Lords Commissioners of the Admiralty and to the Commissioners for the Fishery, directed for them at the Custom House in Dublin, a list of the busses or vessels employed in the said Fishery, together with the number and ages of the men employed on board thereof, distinguishing the capacities in which they respectively act.

Superintendant to be sworn.

And be it further Enacted, That every person who shall be appointed to be a Superintendant as aforesaid, shall take and subscribe the oath following, which oath any one of the Commissioners for the Fishery, or any Justice of the Peace, shall be authorized to administer.

OATH.

"I, *A. B.* do solemnly swear, That I am not directly or indi-
" rectly concerned as an adventurer in the Irish Fisheries, or
" in any other Fishery, or as a curer of Fish; and that I will
" not be concerned therein either directly or indirectly,
14 " during the time I shall act as Superintendant of the said
" Irish Fisheries. So help me GOD."

Commissioners shall give Notice before 1st May yearly of Appointment or non-appointment of Superintendants and Rendezvous for the Fishery.

Provided always, and be it Enacted, That the said Commissioners of the Fisheries shall, on or before the in every year, give notice, under the hands of any three of the said Commissioners in the Dublin Gazette, and in such other Newspapers as the said Commissioners shall think fit, of the name and names of the several Superintendants of the Fishery appointed under this Act, and of the Fishing ground station or rendezvous to which the Fishing vessels are to proceed pursuant to the regulations of this Act; or in case no such Superintendant shall be so appointed, then the said Commissioners shall, before the said in each year, give notice that Fishing vessels may proceed without such Superintendant to such Fishery ground station or rendezvous as shall be for that purpose named or appointed by the said Commissioners in such Advertisement, or otherwise, if the said Commissioners shall think fit, to any such stations or Fishing grounds as the several Fishing vessels may find most advantageous or desirable in the discretion of the masters of such vessels.

Commissioners may appoint Officers for the Fishery.

And be it further Enacted, That it shall be lawful for the said
15 Commissioners for the said Fisheries, or any of them, to appoint any Officer of the Customs or Excise, at the respective places

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on the coast of Ireland where Herrings and other Fish are caught or cured, and at the ports or places where vessels are usually fitted out for the said Fisheries, and where vessels employed in the said Fisheries usually discharge their cargoes, and also at the ports of exportation, to overlook the curing of all Herrings and other Fish caught, to take an account of and clear out all salt, nets, barrels, and other stores shipped or put on board any buss, vessel or boat, for the said Fisheries, and to inspect and take account of all Herrings and Fish landed or exported, and to certify whether the Fish are properly pined, cured and packed, so as to be entitled to the bounty of four shillings per barrel hereby granted, or fit to be exported; provided always, that no person shall be appointed an officer for the performance of any of those duties, unless such person shall have exercised the trade of a Cooper, and been employed in the curing and packing of Herrings, and shall be skilful therein, and fully qualified to execute the duties which will be required of him under the provisions of this Act, certificates of which qualifications shall be transmitted to the said Commissioners by such persons and in such manner as shall be satisfactory to the said Commissioners; and every such officer so to be appointed shall obey such instructions, orders or directions as he shall from time to time receive from the said Commissioners, signified under 16 their hands, or under the hands of any of them, or of any person appointed by them to act as their Secretary, for the purposes of this Act.

Qualification of Persons to be so appointed

Officers to obey the orders of the Commissioners of the Herring Fishery

And be it further Enacted, That the Secretary, and every clerk or officer for the said Fisheries to be appointed by virtue of this Act, shall be liable to be suspended or dismissed from his office or employment respectively by the said Commissioners for the Irish Fisheries, either for incompetency or for neglect of duty; provided always, that every such officer of the said Fisheries, and the secretary and every officer and clerk under the Commissioners for the said Fisheries appointed by virtue of this Act, shall, previous to his entering upon the duties of his office, take and subscribe the following oath:

Officers of the Fishery, and Secretary, Officers and Clerks under the Commissioners of the Herring Fishery, to be sworn.

OATH.

" I, *A. B.* do swear, That I will faithfully and honestly, according to the best of my skill and judgment, execute the office and trust committed to me, of [*the name of the office to be here mentioned*] and that I am not directly or indirectly concerned as an adventurer in the Irish Fisheries, or in any other Fishery, or as a curer of Fish, nor will I, so long as I shall continue to act as [*the name of the office to be here mentioned*] be concerned either directly or indirectly as an adventurer in the said Fishery, or as a 17 curer of Fish. So help me GOD."

Which oath any one of the said Commissioners for the Irish Fisheries, or any Justice of the Peace, may administer to such officer.

And

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And be it further Enacted, That from and after the day of one thousand eight hundred and no person shall use, in any bay river or loch, or at sea, in or on the coast of Ireland, any Herring net or any traul net, drag net or other sea net for the taking of Herrings, and which hath a mesh less than one inch from knot to knot, or any false or double bottom cod or pouch, or shall put any net, though of legal size, behind the others to destroy the small fish; and that every person offending herein shall forfeit every such net as aforesaid, and the sum of for every such offence; and that every such net shall and may be seized by any superintendant of the said Fisheries, or by any person acting under his orders, or by any officer of the said Fisheries; and it shall be lawful for the Commissioners for the Irish Fisheries to cause every such net to be burnt.

No net to be used that has a mesh of less than one inch from knot to knot.

And be it further Enacted, That no buss or vessel shall be deemed to be properly fitted out for, and to be duly employed in the Irish deep sea Fishery, so as to entitle the owner or owners to any bounty
18 on the tonnage thereof by virtue of this Act, unless such buss or vessel, if intended for the Herring Fishery, shall have on board (put up in new barrels) bushels of salt at the least, for every last or twelve barrels of Herrings which such buss or vessel shall be capable of containing, and also as many more new barrels as such buss or vessel is capable of carrying; nor unless such buss or vessel shall have on board three hundred square yards of netting at the least for every ton of her admeasurement, together with the customary quantity of other materials for the equipment and mounting of the quantity of netting hereby required to be provided; nor unless such buss or vessel, if intended for the Cod or Ling Fishery, shall have on board of salt for every eight tons such vessel shall admeasure, with one long line sufficiently equipped with not less than three hundred hooks, and one hand-line for each man; nor unless such buss or vessel shall be in all cases manned with the number of men following at the least, that is to say, if such buss or vessel shall not exceed the burthen of forty-five tons, with one man for every five tons such vessel shall measure; and if such buss or vessel shall exceed the burthen of forty-five tons, and shall not exceed the burthen of sixty tons, then with ten men; and if such buss or
19 vessel shall exceed the burthen of sixty tons, and shall be under the burthen of seventy tons, then with eleven men; and if such buss or vessel shall be of the burthen of seventy tons or upwards, then with one man more for every ten tons by which such buss or vessel shall exceed seventy tons, two of which number respectively may be foreign seamen experienced in the deep sea Fishery, any thing in any law to the contrary notwithstanding: Provided always, That no buss or vessel which shall exceed the burthen of one hundred tons, shall be

How Buss shall be fitted out for the Bounty on tonnage.

The full number of Men not required to be taken on board till arrival at the Rendezvous.

 required

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required to have on board any greater quantity of salt or netting, or materials for the mounting thereof, or any greater number of men, than a vessel of the burthen of one hundred tons is hereby required to have on board, or any greater number than five hundred barrels: Provided also, That it shall not be deemed necessary for any buss or vessel to have on board the full number of men hereby required, until her arrival at the rendezvous of the said deep sea Fishery.

No two Fishing Vessels to bear the same name in the same district, or belonging to one Owner.

AND whereas frauds are frequently committed by entering vessels of large tonnage on the bounty, and substituting vessels of less tonnage but bearing the same name, to proceed to the Fishing ground; BE it Enacted, That no owner or owners of Fishing vessels shall be permitted to enter a vessel upon the bounty, bearing the same name 20
with any other vessel previously entered upon the bounty in the same district, or with any other vessel of the same name, in the possession of such owner or owners.

Description of the Voyage to be made by Busses to obtain the tonnage Bounty

And be it further Enacted, That in order to entitle the owner of every buss or vessel who shall claim any bounty on the tonnage thereof, to receive the same by virtue of this Act, such buss or vessel shall be cleared out from the port in Ireland where such buss or vessel was *bona fide* fitted for her intended voyage, and shall proceed directly to the general rendezvous to be appointed for that purpose, or to some place mentioned in the licence of the officer of the Fisheries granted pursuant to this Act, where she shall arrive on or before the in each year, and the crew shall not shoot or wet the nets before the from which day they shall continue to fish in manner herein described on the coasts of Great Britain or Ireland, or the Isle of Man, until the following, unless before the last-mentioned day, the quantity of Herrings taken in the said buss or vessel, and cured and packed on board thereof, shall amount to four barrels of Herrings not repacked, or in the state in which they are called Sea Sticks, for every ton not exceeding one hundred tons of the admeasurement of such buss or vessel; and that no Fish other than Herrings or 21
Cod, Ling, Hake, Haddock, Glassing or Conger Eel, shall be taken or cured by the crew of such buss or vessel; nor shall any Fish not taken by the crew thereof be received on board the same during the whole course of the voyage, save only for the sustenance of the crew; and that the Cod or Ling or other Fish than Herrings or Mackarel taken and cured by the crew of such buss or vessel, shall be stowed in bulk, and that all the Herrings and Fish which shall be taken by the crew of such buss or vessel, and cured and packed on board thereof, shall be landed in Ireland.

Regulations for fitting and clearing out

And be it further Enacted, That the owner or owners, or any one of them, or the agent of the owner or owners of any buss or vessel, who

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who shall intend to fit out the same for the deep sea Irish Fishery, and in respect thereof to claim any bounty on the tonnage thereof by virtue of this Act, shall give notice thereof in writing, under his or their hand or hands, to the officer of the Fisheries appointed in that behalf at or for the port or place where such buss or vessel shall be intended to be fitted out, and shall in such notice specify the name of such buss or vessel, the port to which she belongs, whether she was actually built in the British dominions, or was taken and condemned as lawful prize, the name or names of the owner or owners, and the master

Busses at the Port of Outfit, to obtain the tonnage Bounty.

22 thereof respectively; the tonnage thereof according to the register, and the date of the registry of such vessel; and shall also therein declare, that the said buss or vessel is sufficient and in every respect fit and proper for such voyage and fishing as aforesaid; and shall specify also the quantity of salt, the whole number of barrels (distinguishing those which are filled with salt from those which are empty), the quantity of netting with materials for mounting the same, and the quantities and sorts of provisions for the crew during the voyage, which shall be intended to be shipped or put on board such buss or vessel; and the officer to whom such notice shall be given, or such other officer as shall be thereunto duly appointed, shall go on board such buss or vessel and view the condition thereof, and shall examine the register to ascertain the accuracy of the statement of her tonnage, and also shall examine and take account of the quantity of salt, and of the several and respective sorts of stores and provisions stated to be intended to be put on board such buss or vessel in such notice, and shall see the same shipped or put on board accordingly; and if it shall appear to him that such buss or vessel is sufficient and in every respect

23 fit and proper for such a voyage, and is stored victualled and fitted out in terms of such notice and according to the regulations of this Act, the said officer shall certify the same on the back of the notice; and one or more of the owners or their agent, and the master of such buss or vessel shall respectively make oath before an officer of the Fisheries, that it is truly his determined purpose that such buss or vessel as then furnished and provided, shall forthwith, after licence shall be granted, proceed to (to be named in such oath,) which shall be the place of general rendezvous in case any such shall be appointed, and be there on or before the or, in the case of vessels intended for the Cod Fishery, on or before the day of having on board not less than such a number of men (to be mentioned in the oath,) as such buss or vessel is hereby required to have on board, and shall not shoot or wet her nets before the and shall fish in the deep sea Fishery in manner following, that is to say, the crew shall shoot and haul the nets directly from and into the said buss or vessel, without the intervention or use of a small boat, the nets being attached to the vessel while they are set, the vessel not

Owner or Agent and Master, to make Oath;

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being at anchor when the crew are shooting the nets during the time 24
the nets are set, nor while the crew are hauling or taking them in, and shall cure all the Herrings and Mackarel taken or caught in the said nets in barrels, and not in bulk, on board such buss or vessel, and shall cure all Fish other than Herrings so caught, and stow the same in bulk and not in barrels; and that the crew of the said buss or vessel shall so continue fishing in the deep sea Irish Fishery, upon the coasts of Great Britain or Ireland or the Isle of Man, in an orderly and regular manner, and without impeding or obstructing the crew of any other vessel, which shall be employed in the said Fishery from the said until the in every year, unless before the last-mentioned day the Herrings taken or caught and cured in manner aforesaid by the crew of the said buss or vessel, shall amount to or exceed the proportion of four barrels of Herrings not re-packed, or in the state in which they are commonly called Sea Sticks, for every ton not exceeding one hundred tons of the admeasurement of such buss or vessel; and that no Fish other than Herrings or Cod, Ling, Hake, Haddock, Glassing or Conger Eel, shall be taken or cured by the crew of such buss or vessel, nor any Fish not caught or taken by the crew thereof, received on board the 25
same during the whole course of the voyage, save only for the sustenance of the crew during the voyage; and that all the Herrings which shall be taken by the crew of such buss or vessel, and cured and packed on board thereof, shall be landed in Ireland; which oaths, subscribed by the respective parties making the same, and also the said notice, with such certificate indorsed thereon as aforesaid, shall be transmitted by the said officer to the Commissioners of the said Fisheries; and the master of the said buss or vessel, and the owner or one of the owners, or the agent of the owners, shall, with one or more sufficient surety or sureties, enter into bond to His Majesty His Heirs and Successors, in a sum equal to treble the amount of the bounty computed on the tonnage of such buss or vessel (which bond any officer of the Fisheries is hereby authorized and required to take, and which shall be exempt from the duties on stamped vellum paper and parchment) for the faithful dealing of the master and crew of such buss or vessel in respect of such voyage and Fishing; all which requisites having been duly performed, the proper officer of the Fisheries, by instrument in writing under his hand (setting forth the particulars which shall appear by the notice and certificate indorsed thereon, as herein mentioned, and also that bond has been given according to 26
direction of this Act) shall give to the master of such buss or vessel licence to proceed on his voyage to the rendezvous of the said deep sea Irish Fishery.

And to give Bond.

Officer of the Fishery to give the Master a licence to proceed on his Voyage.

Regulations for examining Busses at the

And be it further Enacted, That upon the arrival of any buss or vessel, on which it is meant that any bounty shall be claimed, at the rendezvous

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rendezvous provided for the said deep sea Fishery, the master thereof shall enter such buss or vessel with the superintendant of the said Fishery, if any such shall be appointed, and shall produce to him his licence, and also (if required) the register or certificate of registry of the said buss or vessel; and shall deliver to him a statement in writing on what day the said buss or vessel sailed from the port where she cleared out, and what quantities of salt, barrels, nets, with materials for mounting the same, and of provisions respectively shall be then on board such buss or vessel, and to what port in Ireland he intends to return for the discharge of the said buss or vessel; and the said superintendant shall then go on board such buss or vessel, and as far as circumstances will permit, shall inform himself whether the said stores and provisions are actually on board thereof, and shall muster and take an account in writing of the number, names and
27 descriptions of the crew thereof, which shall be entered at the foot or on the back of the licence; and if he shall be satisfied that such buss or vessel is completely stored, and has on board the number of men required by this Act, he shall, by a certificate under his hand, declare the said buss or vessel to be entitled to commence the said deep sea Irish Fishery for the tonnage bounty.

Rendezvous of the deep sea Fishery

And be it further Enacted, That no nets shall be shot or wet for the taking of Herrings in the daytime, under the penalty of to be recovered against the owner or owners of such nets, or of the said buss or vessel, and to be levied by distress and sale of his her or their goods and chattels, by warrant under the hand and seal of any superintendant of the Fisheries, or if there shall be no superintendant, then by warrant of a Justice of the Peace for the County wherein the party or parties shall reside, and before whom the offence shall be proved, by the confession of the party accused, or by the oath of two credible witnesses; which said penalty, when recovered, shall be applied in such manner and to such uses as the other forfeitures under this Act are to be applied.

No Net to be shot or wet for taking Herrings in the daytime. Penalty £. 10.

And be it further Enacted, That the Herrings taken cured and packed on each day by the crew of such buss or vessel, shall be dis-
28 tinguished from all other Herrings by a mark or marks, character or characters, to be set on the barrel or barrels in which the same shall be packed, of such description and in such manner as shall be prescribed by any regulation to be made by the Commissioners for the Fisheries by virtue of this Act, and shall denote on what day such Herrings were so taken cured and packed, and whether the same were cured and packed gutted, or were cured and packed ungutted; and Herrings gutted after the day when the same were taken, shall be packed separately from other gutted Herrings, and shall be distinguished by a mark or character to be set as aforesaid, which marks or characters shall not be at any time effaced or altered.

Herrings taken every day by the Crews of the Busses to be distinguished by a mark on the Barrels in which they are cured.

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Regulations for clearing out Veſſels for, and diſcharging them from the Iriſh Herring Fiſhery, not to extend to Boats not exceeding the Burthen of Four Tons, carrying Salt to the Fiſheries or returning with cured Herrings

Provided always, and be it further Enacted, That nothing in this Act contained, relative to any vessel or boat which shall be intended to be, or which shall be fitted out for the Irish Fishery, with salt, netting, barrels, or other stores, or which shall proceed to the said Fishery, having on board salt to be used in the curing of Herrings, or on board of which Herrings shall be cured, or which shall return with the Herrings so cured to any port of Ireland, so far as relates to the requisites directed by this Act to be performed by the person or persons intending to fit out such vessel or boat, or by the master thereof, or 29
as relates to any penalty or forfeiture thereby provided, for any default in or contravention of any of the said requisites, shall extend or be construed to extend to the case of any boat in which salt shall be shipped or put on board for the said Fishery, or which shall return from the said Fishery with Herrings cured with such salt to any part of Ireland, provided such boat shall not exceed the burthen of tons.

Commiſſioners may allow Premiums or Bounties for Coaſt Fiſhing in Boats, from tons to

AND for encouraging the Inhabitants on the sea coasts of Ireland to provide larger boats than are now used in the Irish Fishery, and to take Herrings and other Fish at a greater distance from the shore than can be done in such small boats as are now used therein; BE it further Enacted, That from and after the day of the Commissioners for the said Irish Fisheries shall be, and they are hereby authorized to allow premiums or bounties not exceeding the sum of in the whole, in any one year, to be paid to persons who shall employ boats of a burthen not less than tons, and not exceeding tons by admeasurement, in the taking Herrings and other Fish on the coast of Ireland, or of Great Britain, or the Isle of Man, who shall cure and pack the same according to 30
such plan, and to such rules and regulations as the said Commissioners shall make and publish in that behalf; and that within one month after the in each year, the said Commissioners shall cause a List to be made of the names of the persons entitled to the said bounties or premiums, the place of residence of each of the said persons, the name of the boat or boats, and the tonnage thereof which shall be employed by each person or persons respectively, and the sum of money which the said Commissioners shall assign to each person respectively, which list, certified by the said Commissioners, shall be transmitted to the Commissioners of Excise and Taxes in Ireland; and the said Commissioners of Excise and Taxes shall, and are hereby authorized and required to cause the said sums to be paid out of any money in their hands arising from duties under their management, to the respective persons entitled thereto, on their respectively producing and delivering a certificate from the said Commissioners for the Irish Fisheries to that effect, provided

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vided that the said bounties or premiums shall not exceed the aforesaid sum of in any one year.

Powers and Duties of the Superintendant of the Fishery.

And be it further Enacted, That it shall be lawful for any Super-
31 intendant of the said Fisheries, or any person or persons acting by his orders, at all times whenever he shall think fit, either at sea or in any loch or bay or on the coast, during the continuance of the Fishery or after the return from the Fishery, to go on board any of the vessels employed in the Fishery under his superintendance, to inspect the licence and certificate of registry of such vessel, and the journal kept by the master, pursuant to the directions of this Act (all which the master of every such buss or vessel, on being thereunto required, shall forthwith produce and deliver to such superintendant for his inspection and examination, and such superintendant is hereby empowered to detain any such buss or vessel till all or any of the said documents demanded by him shall be so produced or delivered to him;) and to ascertain whether the number of men hereby required to be on board the said buss or vessel be actually employed therein during the Fishing, and until they be discharged according to the directions of this Act, and to inspect the manner in which the Herrings are taken cured and packed, and whether the master and other persons on board the same are in all respects carrying on and prosecuting the said Fishery in the manner hereby required; and if any person or persons shall impede
32 or obstruct, or attempt to impede or obstruct any other person or persons in the lawful prosecution of the said Fishery, such superintendant shall require such person or persons so impeding or obstructing or attempting to impede or obstruct any other person or persons, to desist from so doing, and if such person or persons so required to desist shall disregard such requisition, it shall be lawful for such superintendant to employ such force as shall be necessary to compel him or them to preserve order; and if it shall appear to such superintendant that the number of men hereby required to be on board each buss or vessel were not on board thereof at any time when they ought to have been, according to the regulations of this Act, or that the master or any part of the crew are or were not in all respects carrying on and prosecuting the Fishery in the manner hereby required, or had impeded or obstructed, or attempted to impede or obstruct any other person or persons in the lawful prosecution of the said Fishery, such superintendant shall report the same fully and particularly to the said Commissioners for the Irish Fisheries, and shall deliver one copy of such report under his hand to the master of such buss or vessel, and shall transmit another copy to the said Commissioners by the first oppor-
33 tunity; and if any person or persons shall resist or obstruct any such superintendant, or any person or persons acting under him, in the execution of any of the powers to him or them given by this Act, every

 person

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person so offending, shall forfeit and pay the sum of

Herrings may be trans-shipped out of a Buſs at the deep ſea Fiſhery into another Veſſel, previouſly to the 16th day of July, and carried into Port.

Provided always, that it shall be lawful for the master of any buss or vessel licenced and cleared out for the said deep sea Fishery, at any time during the continuance of the Fishing, as limited by this Act, to trans-ship into any other vessel, not being licenced for the said Fishery pursuant to the directions of this Act, any quantity of Herrings which shall have been taken by the crew of such buss or vessel, and by them cured and packed in barrels on board the same; and the said Herrings so trans-shipped shall be conveyed to and landed at the port in Ireland where such buss or vessel shall be intended to be cleared inwards, and shall be deemed and taken to be part of the cargo of such buss or vessel, provided that the master of the vessel in which such Herrings shall be carried into port shall bring with the said Herrings a copy of the license of the buss or vessel out of which the said Herrings were received, with a declaration under the hand of the master thereof (indorsed on such copy) setting forth the number of barrels of Herrings so trans-shipped out 34
of such buss or vessel into such other vessel as aforesaid, that the same were taken and cured as aforesaid, specifying the date of the taking, curing and packing of the Herrings contained in each barrel, and whether the same were cured and packed gutted, or were cured and packed ungutted, and distinguishing each barrel by the marks or characters (to be specified in such declaration) which shall be set on the barrels in which the said Herrings shall be packed respectively, as also the name of the vessel on board of which the same shall be trans-shipped, the name of the master thereof, and the name of the port for which the same were so put on board, which declaration shall be produced to the Officer of the Fishery at such port before any of the said Herrings shall be unshipped or laid on land; and the master of such vessel shall make oath at the foot of the said declaration before the said officer, that the Herrings on board the said vessel are the very same which were trans-shipped out of such buss or vessel as mentioned in the said declaration, and such officer shall attend the landing thereof, and take account of the Herrings landed out of the said vessel, together with the marks on the barrels containing the same.

Buſs not arriving at the Rendezvous, or not beginning to fiſh at the time preſcribed, &c. not to loſe the benefit of obtaining the tonnage Bounty, on certain conditions.

And be it Enacted, That if any buss or vessel shall not arrive 35
at the rendezvous of the said deep sea Herring Fishery till after the
and shall not begin to fish till after
the
the same month in any year, and it shall be made appear to the satisfaction of the said Commissioners for the Irish Fisheries, that such buss or vessel did really and *bonâ fide* take her departure for the said rendezvous five days at the least before the said
or if any such buss or vessel which shall have been licensed for the said deep sea Herring Fishery,
and

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and for which a certificate shall have been obtained at the place of rendezvous to entitle the crew to commence the Fishery, shall, at any time before the in the same year, be compelled to discontinue Fishing by stress of weather, loss of nets or stores, or other unavoidable cause, before the quantity of Herrings shall have been taken and cured as required by this Act, and to come into any port harbour or anchorage on the coast of Great Britain or Ireland, the owner of such buss or vessel shall not for such cause be precluded from receiving the tonnage bounty, provided the master thereof, in the case last-mentioned, shall give immediate notice of such his arrival, and of the distress or necessity which forced him to take
36 shelter in such port harbour or anchorage, and shall make proof thereof by the oaths of himself and his mate, before any officer of the British or Irish Fishery at such port or place, which oaths such officer is hereby authorized to administer, and if there shall not be any officer of the Fishery at the port or place, the oaths shall then be administered by any Justice of the peace; and the same shall be written at the foot or on the back of the licence, and shall be subscribed by the parties making the same: Provided also, that the master of such buss or vessel shall use his utmost endeavours to refit the said buss or vessel, and to take on board the supplies, and the number of men necessary to enable him to continue his Fishing voyage (as the case may require) and shall accordingly return to and continue the Fishing in manner herein directed, and shall, in either of the cases above-mentioned, continue to fish in manner aforesaid, after the until the expiration of such a space of time as when added to the time during which such buss or vessel shall have fished before that day, shall be equal to the period which extends from the to the next ensuing, unless the crew thereof shall have
37 taken cured and packed, before the expiration of that time, such quantity and proportion of Herrings as is hereinbefore mentioned; anything herein contained to the contrary notwithstanding.

The tonnage Bounty not to be paid on any Buss which shall not have on board the full number of Men, except in certain cases.

And be it further Enacted, That the bounty of per ton granted by this Act, shall not be allowed or paid in respect of any buss or vessel which shall not have had on board the number of men hereinbefore required, from the time when the crew thereof shall have been mustered at the rendezvous by the Superintendant as aforesaid, during the whole continuance of the Fishing, and until the said buss or vessel completed her Fishing in manner prescribed by this Act, and until she shall return to a port of Ireland, and the crew shall be there mustered by the proper officer of the Fishery at such port; before whom the master and mate shall make their oaths that the number of men required by this Act were on board such buss or vessel during the whole of the time aforesaid, unless any diminution of the said

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said number of men shall have been occasioned by death, sickness, or actual desertion; and in the event of any such diminution of the crew, that the master used his utmost endeavours to keep up and have on board the full number of men by this Act required, from the day when the crew were mustered at the rendezvous, until the day 38
when the crew shall have been again mustered on the return of the buss or vessel into a port of Ireland, which oaths such officer is hereby authorized and required to administer; and the same shall be written at the foot or on the back of the License, and subscribed by the parties making the same; and the said officer shall there also certify the number, names, and description of the men who were on board the said buss or vessel, upon the muster made by him as herein directed.

The Master of every Buss employed in the deep sea Fishery for the tonnage Bounty, to keep a Journal.

And be it further Enacted, That the Master of every buss or vessel in respect whereof the Tonnage Bounty shall be claimed by virtue of this Act, shall keep a Journal, in which all transactions and occurrences shall be inserted every day during the whole course of the voyage, from the time of beginning to put on board the vessel her stores or provisions, to the time of her returning into a port in Ireland, for the discharge of her cargo; specifying the quantity of stores and provisions of each sort put on board before the departure of the vessel from the port where she was fitted out, the time of her arrival at the rendezvous, and there being permitted to commence Fishing; the number of men taken on board, at what place or places respectively, the winds and weather, the station of the vessel each day at noon, 39
and the places, if any, where she put in, and the causes thereof; the number of barrels of Herrings taken, and the number thereof cured and packed every day, distinguishing Herrings cured and packed gutted, from Herrings cured and packed ungutted, and Herrings gutted on the day when they were taken from Herrings gutted afterwards; specifying also the mark or marks set on each barrel of Herrings so taken cured and packed respectively, pursuant to the directions of this Act; also the number of barrels of Herrings (if any) with the respective marks thereon, trans-shipped into any other vessel, for the purpose of being carried into port, with the name of such vessel, the name of the master thereof, and the port to which she was bound; the death disability or desertion of any of the crew, and the endeavours used to supply the places of such persons; provided always, that no Herrings shall be deemed to be gutted within the me ning of this Act, unless they were gutted cured and packed within twenty-four hours after they were taken or caught.

Regulations with respect to any Buss returning from the deep

And be it further Enacted, That upon the return of any such buss or vessel to any port of Ireland where the cargo thereof is intended to be landed, the proper officer of the Fishery shall immediately go on

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40 on board and view the condition of the vessel and of her lading; and the master shall forthwith deliver up to such officer his licence, with the several certificates, and the oaths required to be taken written at the foot or on the back thereof, and also his journal signed by himself, and shall verify upon oath, before such officer, the truth of the said journal so delivered up, and shall also make oath before said officer, in the following terms, that is to say;

sea Irish Fishery into a Port in Ireland, for the discharge of her Cargo

" I do swear, That I am Master
" of the buss or vessel the of
" arrived at this port from the deep sea
" Irish Fishery; that the said buss or vessel was certified by
" the Superintendant to be entitled to commence the Fishery
" at the rendezvous on the day of
" in consequence whereof I proceeded in prosecution of the
" said Fishery for Herrings, [*or*, for Cod, &c. *as the case*
" *may be*] from the day of
" to the day of
" [*here mentioning the day of beginning and the day of finally*
" *ceasing to fish*; *and in case the fishing was interrupted, add*,
" except a part of the time, to wit, from the
" day of to the
" day of during which period the
" said Fishery was interrupted by stress of weather; *or*, *as*
41 " *the case may be*, by the death, sickness, or desertion of
" (*here mentioning the number*)
" of the crew of the said buss or vessel, or by the loss of
" square yards of netting, or of other
" stores, *specifying the sort and quantity*;] and that the crew
" of the said buss or vessel fished in an orderly and regular
" manner, and did not, nor did any of them impede or molest
" any person or persons employed in the lawful prosecution
" of the said Fishery; that all the Herrings caught or taken
" by the crew of the said buss or vessel were cured in barrels
" on board the said buss or vessel, and no part of them was
" cured in bulk; that no Fish other than Herrings [*or* Cod,
" or Ling, &c. *as the case may be*] were taken by the crew of
" the said buss or vessel; and that no Fish, not taken by the
" crew thereof, were, during the course of the voyage, received,
" or are now on board such buss or vessel, except for the sus-
" tenance of the crew thereof; that no part of the Herrings
" taken cured and packed, by the crew of the said buss or
" vessel, have been unshipped or delivered out of the same, ex-
" cepting barrels of Herrings trans-shipped out of
" the said buss or vessel on the day of
" and put on board the whereof

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" was master, for this port; and that since the 42
" day of last past, when the
" said buss or vessel cleared out for the said Fishery, till the
" day of when the crew thereof
" finally ceased to fish, the number of men and quantity of
" netting and other stores required by law were constantly
" on board the said buss or vessel employed in the prosecu-
" tion of the said deep sea Fishery [*or*, in case the number of
" men was diminished, or any part of the stores were lost,
" the time when such diminution or loss happened to be
" specified, *and*, that such diminution happened by death
" sickness or desertion, *as the case may be*; and *if by deser-*
" *tion*, that it happened without the consent or connivance
" of the master, mentioning the time when, and the manner
" in which any such diminution of the number of men or loss
" of stores were supplied;] and that during the whole of time
" aforesaid, the said buss or vessel was not employed in any
" manner, or for any purpose, except in the said Irish
" Fishery."

Which oath such officer as aforesaid is hereby authorized and required to administer.

Officer of the Fishery to attend the landing of the Herrings, Salt, &c. out of each Buss, and take account thereof, and certify the same, &c.

And be it further Enacted, That the officer of the Fishery at each 43
port shall attend the landing of the Herrings and of the salt which has not been used, and the barrels (if any) not used, and the nets out of each buss or vessel which shall have arrived from the deep sea Fishery, and shall take a particular account thereof, specifying the marks on the barrels containing Herrings, and shall examine the master's journal, with the other documents delivered by him, and the account of the cargo landed, and shall certify such inspection and examination, together with his observations thereon, with the quantity of each respective description of Herrings, gutted or ungutted, which shall have been landed out of the said buss or vessel; and in case any Herrings shall have been landed at that port out of any other vessel, the master of which brought a declaration, under the hand of the master of the said Fishing buss or vessel, that the quantity of Herrings therein mentioned were taken cured and packed by the crew of such buss or vessel, and trans-shipped out of the same into the said other vessel, and the master of which other vessel made oath that the Herrings which were on board thereof were the same that were so trans-shipped as aforesaid, such officer shall, in that case, certify also the quantity of Herrings of each description so landed out of such other vessel, mentioning the name of such vessel and the name of the master thereof, and shall certify also the tonnage 44
of the said buss or vessel by admeasurement.

And

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And be it further Enacted, That in all cases where any Superintendant of the Fishery shall be of opinion that there has been any thing culpable in the conduct of the master or crew of any buss or vessel claiming the tonnage bounty, or that he or they shall have failed in complying with any of the provisions of this act, which should prevent the bounty being paid, and the Superintendant shall have made a special report thereof to the Commissioners for the Irish Fishery, and shall have transmitted the same to them, the said Commissioners shall forthwith make proper inquiry thereinto, giving notice to the master and owner or owners of such buss or vessel, or his or their agent, that they may attend such inquiry if they shall think fit; and the said Commissioners shall, upon consideration of all the circumstances attending each case, make such order thereupon as to them shall seem proper, according to the true intent and meaning of this Act.

Commissioners of the Fishery to enquire into any matter of complaint stated in Report of the Superintendant, and determine thereon.

And be it further Enacted, That the officer of the Fishery at each port shall transmit without delay to the said Commissioners for the Herring Fishery, the License, with the oaths and certificates written at the foot or on the back thereof, hereby required to be delivered up to
45 him, together with the oath required to be made by the master, on his return into the port, for the discharge of his cargo, and the certificate or certificates hereby directed to be made by the proper officer of the Fishery at such port, also the declaration produced and oath made by the master of any vessel out of which Herrings were landed, as having been trans-shipped out of such buss or vessel during the Fishing; and if the said Commissioners shall be satisfied that all the conditions rules and regulations by this Act directed to be observed, have been duly fulfilled with respect to such voyage and fishing, they shall immediately give a debenture or certificate for the payment to the owner or owners of the said buss or vessel, or to his or their assigns, of the bounty by this Act payable upon the tonnage of such buss or vessel, the amount whereof shall be mentioned in such debenture or certificate; and the said Commissioners shall at the same time transmit the license, oaths, and certificates and declaration aforesaid, with notice of their having granted such debenture or certificate to the office of the Commissioners of Inland Excise and Taxes in Ireland; and the said Commissioners of Inland Excise and Taxes, or any three or more of them, on receiving such documents, shall and they are hereby authorized and required respectively, without delay, to give an order to
46 their cashier, or transmit an order to the collector of Excise at or nearest the port or place where such buss or vessel discharged her cargo (at the option of the person or persons entitled to receive the same;) and such cashier or collector, on receiving such order, is hereby required to pay on demand, the sum expressed in such debenture or certificate, out of any Money in his her or their hands, arising from

Officer of the Fishery to transmit the Licence, the Master's Oath, and the Officer's Certificate, made on the return and discharge of each Buss, &c. to the Commissioners.

Regulations as to the manner of paying the Bounty of £.3 per ton.

 any

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any duties under the management of the said Commissioners of Excise: Provided always, That in case the master of any such buss or vessel, shall have neglected to enter any transaction occurrence matter or thing, hereby required to be entered in his Journal, it shall be lawful for the said Commissioners for the Irish fishery to make such abatement from the amount of the bounty claimed for such vessel, as they in their discretion shall think fit.

In case of any omission being made in the Journal, the Commissioners may make an abatement of the Bounty.

Restriction of Ports or Places where a Buss may discharge her Crew or Cargo.

And be it Enacted, That no bounty shall be paid by virtue of this Act on the tonnage of any buss or vessel, which shall be fitted out or shall discharge her crew or any part thereof, or shall land her cargo at any port or place, other than one where an officer of the Fishery shall be stationed.

Mariners employed in the deep sea Fishery exempt from being pressed.

And be it further Enacted, That the mariners employed in every buss or vessel in the said deep sea Irish Fishery, not being more than the complement hereinbefore required to be on board the same, shall 47
be and the same are hereby protected from being impressed into His Majesty's service, during so long a time as such buss or vessel shall be actually carrying on the said Fishery, and until her voyage home from thence to the port of her discharge shall be fully completed and ended.

Owners of Busses entitled to the tonnage Duty to pay the Crew 4s. per barrel on the Herrings taken and cured by them

And be it further Enacted, That the owners or hirers of every buss or vessel employed in the said deep sea Fishery, who shall be entitled to receive the tonnage bounty under this Act, shall pay to the master mate and crew (over and above such wages as the said crew shall by agreement be entitled to receive) an allowance equal in amount to four shillings for every full packed barrel of Herrings, and for every hundred weight of dried Cod, Ling, Hake, Haddock, Glassing and Conger Eel, contained in the cargo taken by them; two-eighth parts thereof to the master, one-eighth part to the mate, and the remaining five-eight parts to the rest of the crew, to be equally divided among them; which allowance shall be paid whenever the said cargo of Herrings shall be full packed.

Officer to act in absence of Superintendant.

And be it further Enacted, That in any case of the absence of the Superintendant of the deep sea Irish Fishery, from illness or other unavoidable cause, any officer of the Fishery, authorized by the said Commissioners for the Irish Fisheries, may, and he is hereby authorized to 48
do and perform every matter or thing which is hereby required to be done and performed by the Superintendant of the said deep sea Fishery, or while the Fishery shall be going on.

Superintendant of deep sea Fishery to proceed after it is over, to the Bays and Coasts.

And be it further Enacted, That it shall be lawful for the officer who shall be appointed by the Lords Commissioners of the Admiralty to superintend the Irish Fishery in the deep sea, to proceed after the deep

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deep sea Fishery shall be ended, to such place or places on the coast of Ireland as the said Commissioners for the Irish Fishery shall direct, there to preserve order among the persons employed in the Irish Fishery carried on on the coasts and in the bays of Ireland; and the said officer shall have and exercise the like powers as are hereby given to any superintendant to be specially appointed for the loch, bay and coast Fishery, pursuant to this Act; and any person or persons who shall impede or obstruct such officer, or any person employed by him in the exercise of the powers hereby given him, shall be liable to the like penalty as is hereby imposed on any person or persons obstructing such superintendant as aforesaid.

Regulations for clearing out Vessels, on which the tonnage Bounty is not to be claimed for the Irish Herring Fishery

Provided always, and be it Enacted, That whenever any vessel or boat, for which it is not meant that the tonnage bounty shall be
49 claimed, shall be intended to be fitted out for the Irish Fishery, at any port or place in Ireland where an officer of the Fishery shall be stationed, it shall be lawful to ship salt, netting, barrels and other stores, on board such vessel or boat, without the presence of such officer, provided the person intending to ship the same shall first give such notice thereof in writing to the said officer of the Fishery, and therein specify such particulars as by this Act are required; and thereupon it shall be lawful for the said officer to give permission under his hand to such person (to be written at the foot of the said notice,) to ship or put on board the stores therein specified, and when the same shall be so shipped or put on board, the shipper shall make a declaration thereof under his hand, to be subjoined to the said permission, and shall return the same to such officer; whereupon the said officer being satisfied of the truth of the said declaration, shall give the master of the said vessel or boat a certificate that the said stores, specifying the quantities and sorts thereof, were respectively entered and declared to be shipped, mentioning the name of the said vessel or boat, and the name of the master thereof; and such certificate shall be of the same force and effect under the provisions of
50 this Act, as if the said salt, netting, barrels or other stores, had been shipped in presence of an officer of the Fishery, and a certificate had been granted by such officer to the effect prescribed in such cases by this Act.

Unlawful Nets to be forfeited

Provided always, and be it further Enacted, That if any net which, according to the tenor of this Act ought not be used for the taking of Herrings, shall be shipped or put on board any such vessel or boat for which it is not meant that the tonnage duty should be claimed, the same shall be forfeited.

Regulations with respect to Vessels or Boats cleared out with Salt, and curing

And be it further Enacted, That the master of every vessel or boat which shall proceed to the Irish Fishery, having on board salt to be used in the curing of Herrings, shall keep an account of the

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and taking on Board Herrings at the Fishery, and proceeding therewith to a Port in Ireland, and clearing Inwards.

quantity of Herrings which he shall cure or cause to be cured every day, and shall mention in such account the name of the loch bay or other place on the coast where such Herrings shall be cured, and the manner in which the same shall be cured, namely, whether in barrels or in bulk, whether gutted or ungutted, whether on board or on shore, and whether by the crew of such vessel or boat, or by persons residing on shore; and by a mark or marks to be set on the barrel or barrels in which the same shall be cured, according to such regulations as shall be made in that behalf by virtue of this Act, the 51
quantity of Herrings cured in barrels every day shall be distinguished from all other Herrings, and the quantity of Herrings cured ungutted from the quantity cured gutted; in which Account shall be specified such mark or marks set on the barrels respectively, and the number of barrels of Herrings so cured, with the marks set thereon, which shall be shipped or put on board such vessel or boat every day; and if any quantity of such Herrings shall be shipped or put on board any other vessel or boat to be carried to any port in Ireland, the number of barrels of Herrings, with the marks set thereon, shall be specified in such account, with the name of such other vessel or boat, and the port for which the same shall be bound; which account signed by the said master, together with the said certificate by the officer of the Fishery in whose presence the said salt was shipped in such vessel or boat, the said master shall bring with the said Herrings on board thereof, to any port or place of Ireland to which the same shall return or arrive for her discharge; and if any officer of the Fishery shall be stationed at such port or place, the master shall (before any Herrings or other article shall be unshipped out of such vessel or boat) deliver the said account and certificate to such officer, and shall verify 52
the said account on oath before him, who shall attend the landing of the Herrings, salt and other stores, and take a particular account thereof; and the master of every such vessel or boat shall, before the same officer, make oath what quantity of salt has been used or expended in the curing of the Herrings (mentioning the number of barrels, or if cured in bulk the number of Herrings) specified in the said account, and that no part of the said salt was embezzled, sold, or in any manner disposed of, otherwise than is expressed in the said account; or if no officer of the Fishery shall be stationed at such port or place, he shall verify the said account on oath, and make the said oath as to the quantity of salt used, before the chief officer of Excise or Customs there, or any Justice of the Peace or other Magistrate, and transmit the same with the said certificate to the nearest officer of the Fishery; and the officer of the Fishery to whom the said account shall be so delivered or transmitted, shall upon demand deliver to the said master a copy of so much of the said account as shall relate to Herrings cured gutted, and in case the curer thereof shall produce the whole or any part of the Herrings comprised in such copy

to

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53 to the said officer, at the place where the Herrings were so cured, in order to obtain thereon the bounty hereby granted, such curer shall thereupon deliver up the said copy to such officer; and in case the said curer shall have so produced a part only of the Herrings specified in the said copy, the said officer shall give him a copy of the said account, as far as relates to the residue of the said Herrings; and the like proceedings shall be had as often as any part of the said Herrings shall be so produced at the place where the same were cured as aforesaid; and that every such copy as aforesaid shall be certified by the said officer of the Fishery to be a true copy of or extract from the account of the said curer, verified by him upon oath, specifying the time when and place where it was so verified.

Herrings intended for the Bounty granted shall be gutted with a knife.

And be it further Enacted, That from and after Herrings, in respect of which the bounty hereby granted shall be intended to be claimed, shall be gutted with a knife in the manner practised by the Dutch Fishermen; and it shall be lawful for the Commissioners for the said Irish Fishery to make rules and regulations for carrying the purposes of this provision into effect; and every person who is required by this Act to keep an account or journal of Herrings cured, or to give a declaration thereof,
54 shall (over and above the particulars by this Act required) mention therein whether the Herrings taken cured and gutted every day, or what part thereof at the least, were wholly gutted with a knife according to the regulations to be made pursuant to this Act, and shall verify the fact upon oath; and if any barrels or half barrels of Herrings, which shall have been gutted otherwise than with a knife, in the manner hereby directed, shall be produced to any Officer of the Fishery, in order to be branded and certified for the bounty hereby granted, the said officer shall, in the certificate to be granted by him pursuant to the said Act, describe or distinguish such barrels or half barrels of Herrings as have been gutted otherwise than as hereby directed; and it shall be lawful for the Commissioners for the Irish Fishery to cause to be disallowed and withholden a part of the bounty granted by this Act, not exceeding for each and every barrel, and for every half barrel of such Herrings as last above-mentioned.

Part of the Bounty to be withheld from Herrings not gutted with a knife.

Regulations respecting Vessels arriving from the Fishery laden with Herrings cured with Salt, carried out in a different Vessel.

And be it further Enacted, That the master of every vessel or boat arriving from the Irish Fishery at any port or place in Ireland, having on board Herrings or other Fish cured with salt, which had been carried from any port or place in Ireland to the said Fishery in a different vessel or boat, shall bring with the said Herrings a Decla-
55 ration signed by the master of the vessel or boat in which the said salt was carried to the Fishery, (with a copy indorsed thereon of the certificate by the officer of the Fishery in whose presence the salt

 was

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was shipped;) which declaration shall express the name of the vessel or boat in which the Herrings shall be shipped, the name of the master thereof, the number of barrels of Herrings shipped or put on board the same, with the marks set on the said barrels respectively, the day on which the Herrings contained in each of the said barrels respectively were cured, and the manner in which the same were cured, as hereinbefore described, and what quantity of the salt specified in the certificate of which a copy shall be so indorsed on such declaration, was used in the curing thereof; which declaration shall be verified by the person making the same, upon oath to be administered by the officer of the Fisbery at the place where the Herrings shall be shipped or laid on board, or if there shall be no such officer there, then before any officer of the Fishery near such place, or any officer of the Customs or Excise at or near the same, or before any Justice of the Peace, Sheriff Depute, or Substitute; which declaration so verified, the master of the said vessel or boat arriving with the said Herrings (before any part of the cargo thereof shall be unshipped,) shall deliver to the officer of the Fishery at the port or place where he 56
shall arrive for the discharge thereof, who shall attend the landing of the cargo, and take a particular account thereof, and if no officer of the Fishery shall be stationed at such port or place, then the said master shall in such case transmit the said declaration so verified as aforesaid, to the officer of the Fishery nearest to such port or place.

Declaration of trans-shipment may be verified at the Port of landing.

And be it further Enacted, That in all cases where the master of any vessel or boat arriving from the Irish Fishery in any port or place in Ireland, baving on board Herrings cured with salt which had been carried from any port or place in Ireland to the said Fishery in a different vessel, shall bring with the said Herrings a Declaration signed by the master of the said vessel or boat in which the said salt was carried to the Fishery (with a copy indorsed thereon of the certificate by the officer of the Fishery in whose presence or by whose permission the salt was shipped) such declaration expressing the name of the vessel or boat in which the Herrings shall be shipped, the name of the master thereof, the number of barrels of Herrings shipped or put on board the same, with the marks set on the said barrels respectively, the day on which the Herrings contained in each of the said barrels respectively were cured, and the manner in which the same 57
were cured, and what quantity of the salt specified in the said certificate was used in the curing thereof, the said declaration, although it shall not have been verified on oath by the master of the vessel in which the said salt was carried out, shall be of the same force and effect as if the same had been so verified; provided the master of the vessel or boat so arriving and having on board the said Herrings shall make oath, at the foot thereof, before the officer of the fishery at the port or place where he shall so arrive, that there was no officer of the

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the Fishery at the place where the said Herrings were shipped or put on board before whom the said declaration could have been verified, and that he verily believes that the said declaration is true.

Herrings, Salt, or other fishing stores from the Fishery, landed contrary to the aforegoing regulations, forfeited.

And be it further Enacted, That if any Herrings or Salt or other Fishing stores, shall be landed, or shall be unshipped with intent to be landed, out of any vessel or boat arriving from the Irish Fishery, (other than a buss or vessel which shall have been licensed for the deep sea Fishery) at any port or place where an officer of the Fishery shall be stationed, before such certificate and such accounts to be kept by the master respecting the Herrings cured as aforesaid, or such
58 declaration so verified as aforesaid respectively, shall be delivered to, and such account verified on oath, and such oath as is hereinbefore required made before the said officer of the Fishery as is herein directed, or without the presence of such officer of the Fishery as aforesaid, or shall be landed or shall he unshipped with intent to be landed at any port or place where no officer of the Fishery shall be stationed, before such certificate and account, or such declaration so verified as aforesaid, shall be produced to, and such account verified on oath, and such oath made before such officer of the Excise or Customs, or such Justice of the Peace or other Magistrate, as aforesaid respectively, and transmitted to the officer of the Fishery nearest to such port or place, or without the presence of the proper officer of the Customs, all such Herrings or Salt or other Fishing stores, shall be forfeited, and shall and may be seized by any officer of the Fishery or of the Customs or Excise; provided that if any such Herrings, Salt, or other Article shall be seized on account of any error or omission of any thing required by this Act to be done, which shall appear to the said Commissioners for the Fishery not to have been wilful, it shall be lawful for the said Commissioners to waive the forfeiture of such articles, and to levy in lieu thereof on the parties a penalty not exceeding the sum of

Regulations respecting Curers having Salt stored at the Fishery proceeding to cure Herrings therewith.

And be it further Enacted, That whenever any person or persons
59 having Salt stored on shore at any place where the Irish Fishery is carried on, shall intend to cure Herrings therewith on shore at such place, such person or persons shall, before he shall begin there to cure Herrings, give notice of his intention so to do to the officer of the Fishery at or nearest to such place, and shall keep an account of the quantity of Herrings which he shall cure every day, and of the quantity of salt which shall be used in the curing thereof, and shall in such account mention the manner in which the Herrings shall be cured, namely, whether cured in barrels or in bulk, whether cured gutted, or ungutted, and by a mark or marks to be set on each of the barrels in which the same shall be packed, according to such regulation as shall be made by virtue of this Act, shall distinguish the

 quantity

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quantity of Herrings cured every day from all other Herrings; which mark or marks shall be specified in the said account; and before any such Herrings so cured and packed shall be removed, or shall be shipped or put on board any vessel or boat, in order to be removed from the place where the same were so cured, or shall be so produced to any officer of the fishery, to be certified for the bounty of four shillings per barrel hereby granted, the curer thereof shall deliver such account thereof as aforesaid to the officer of the Fishery at or nearest to such place, and verify the same upon oath before such 60
officer; and the said officer shall and he is hereby required to give a copy of such account, and of the oath thereon certified by him to be a true copy, to the person by whom the same shall be so delivered and verified as aforesaid.

Herrings cured on shore, account of to be kept and delivered to the proper Officer of the Fishery, under a penalty of £5.

And be it further Enacted, That if any person or persons having Salt stored at any place on shore where the Irish Fishery is carried on, shall begin there to cure Herrings with such Salt as aforesaid, before having given such notice of his intention so to do to the proper officer of the Fishery as is required by this Act, or if such person or persons shall not keep such account thereof as is required by this Act, or if the curer of such Herrings shall not deliver such account thereof to the proper officer of the Fishery, and verify the same upon oath before such officer as required by this Act, every such person so offending shall not be entitled to any bounty in respect of such Herrings, but such person shall also (unless the quantity of Salt which he shall have stored as aforesaid shall not exceed thirty bushels) forfeit and lose the sum of

What Herrings shall be entitled to the Bounty of 4s. per barrel.

And be it further Enacted, That the bounty hereby granted of per barrel on White Herrings shall not be paid or allowed for any Herrings which shall not have been taken in the Irish Fishery after the day of in any year, or for any Herrings which shall be of bad or indifferent quality, 61
or for any broken Herrings, or for any Herrings which were not originally gutted, or which were cured in bulk, or otherwise than in barrels, or which having been cured in barrels shall have been afterwards laid bulk, or which shall not be repacked or bung-packed, and in all respects properly cured and packed, or of which the barrel shall not contain of Fish, exclusive of the weight of salt and brine, two hundred and twenty-four pounds weight; except Herrings intended to be exported to any place out of Europe, which shall and are hereby required to be repacked with great salt, the barrel of which Herrings shall contain two hundred and twelve pounds weight of net Fish; nor for any Herrings which shall be contained in any barrel not of sufficient strength, or not containing thirty-two gallons English wine measure, or on which the name of the curer thereof, and the name of the

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the port or place where, and the year when the same were cured, shall not be branded with an hot iron in large, legible, conspicuous and permanent characters, or on which such mark or marks, character or characters, shall not have been set at the Fishery as is directed by by this Act, or shall not remain thereon distinctly legible, denoting the day on which the same were cured, and that the same were cured gutted; nor for any barrel of Herrings on which, at the time of its
62 being produced to the proper officer of the Fishery in order to be branded with a mark or character, to denote that the curer thereof is entitled to the bounty of four shillings per barrel hereby given according to the directions of this Act, any such mark or character shall be found to have been formerly branded, or any mark or character shall be found to have been branded pursuant to any former Act in respect of any bounty per barrel thereby granted, or any mark or character whatsoever formerly branded, shall be found to have been altered or effaced; nor until a mark or character to denote that the curer thereof is entitled to the bounty hereby given, shall be branded thereon by order and in presence of the proper officer of the Fishery, after the same shall have been produced to and inspected by such officer according to the directions of this Act; provided always, that no Herrings shall be deemed to be gutted within the meaning of this Act, unless they were gutted cured and packed within hours after they were taken and caught.

At what Ports or Places Herrings may be branded for Bounty.

And be it further Enacted, That the bounty of per barrel hereby granted, shall not be paid or allowed for or in respect of any barrel or barrels of Herrings, unless the same shall be produced to the proper officer of the said Fishery, and branded in his presence in manner by this Act directed, at such port or place as is
63 hereinafter directed respectively, and no other; that is to say, if the said Herrings were cured with salt stored on shore at a place where the Herring Fishery was carried on, then the said barrel or barrels of Herrings shall be so produced and branded as aforesaid at the port or place where the said Herrings were so cured, or at some other place within the same port, or at the next place without such port to which the same shall be removed or carried, or if the said Herrings were cured with salt carried out in any vessel or boat fitted out for the Irish Fishery, and were brought from the said Fishery in the same or any other vessel according to the regulations of this Act, then the barrel or barrels of the said Herrings shall be so produced and branded as aforesaid at the port or place to which the same shall have been so brought from the said Fishery; and the said bounty shall not be paid or allowed in respect of any barrel or barrels of Herrings, unless the curer thereof who shall produce the same to the proper officer of the Fishery for that purpose, shall, after the same shall have been so produced and inspected by such officer, make oath before him, which

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oath the said officer is hereby authorized to administer, (such oath to be written at the foot of the request note, which pursuant to any regulation made or to be made by the Commissioners for the Irish Fishery such curer shall have delivered to the said officer, in order to his attending to inspect the said Herrings) that the said Herrings 64
and every part thereof were to the best of his knowledge and belief gutted and packed within hours after they were caught, and that the same or any part thereof were not either in the same or in different barrels before that time produced to any officer of the Fishery, in order to obtain the bounty granted by this Act.

Bounty of 4 s. per barrel, to whom, on what conditions and regulations, and by whom to be paid.

And be it further Enacted, That the said bounty of per barrel, hereby granted on Herrings, shall be payable and paid to the curer or curers thereof on the production of the Fish to the proper officer of the Fishery, in order to be branded and certified for the bounty; and such officer of the Fishery to whom any barrels of Herrings shall be so produced, shall examine the barrels, and inspect the Herrings contained in all or in such and so many of them as he in his discretion shall think necessary, for the purpose of ascertaining whether the Herrings so produced are in every respect such as to entitle the curer or curers thereof to the bounty hereby granted, according to the provisions of this Act; and for that purpose the said curer or curers shall at his or their own charge, upon being thereunto required by the said officer, place or cause to be placed the said barrels of Herrings in such convenient order or situation as shall be pointed out by the said officer (the outsides being free from any tar 65
dirt or other substance, which may cover or conceal any mark thereon) and open or cause to be opened any barrel so produced, and raise or remove, or cause to be raised or removed, the Herrings or any part thereof out of such barrel, and furnish the said officer with weights and scales for weighing any Herrings, and assist him effectually in weighing the same; and upon every barrel of Herrings which on such examination and inspection as aforesaid shall be found by the said officer to be in all respects such as to entitle the curer or curers thereof to the bounty of four shillings per barrel hereby granted, there shall be branded with an hot iron, by order and in presence of the said officer, such mark or marks, character or characters, as the Commissioners for the said Irish Fishery shall direct, and as shall denote that that the same is intended to be of the proper description, and whether the same is bung packed or repacked, and the year in which the same shall be so branded, and by order and in presence of what officer; all which being duly performed, the said officer of the Fishery shall give the curer or curers of the said Herrings a debenture or certificate for payment of the said bounty of four shillings per barrel on the number of barrels of Herrings so branded; which on being allowed by the Commissioners

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66 Commissioners for the Irish Fishery (such allowance being stated in writing under the hands of the Commissioners at the foot of the said debenture or certificate) the said curer or curers, or his or their assigns, shall be entitled to the bounty of four shillings per barrel on the number of barrels of Herrings therein contained; and the Commissioners of Inland Excise and Taxes in Ireland, upon such debenture being produced to them, shall without delay cause the same to be paid in the same manner as the bounty on the tonnage of busses or vessels employed in the deep sea Fishery is directed by this Act to be paid.

Herrings of certain descriptions, which are not entitled to the Bounty of 4*s.* per barrel, produced to the Officer in order to obtain the Bounty, forfeited.

And be it further Enacted, That if any Herrings not caught or taken in the Irish Fishery, or any Herrings in respect whereof any bounty per barrel granted by any former Act shall have been paid or allowed, or any broken Herrings, or any Herrings which were not originally gutted, or which were cured in bulk or otherwise than in barrels, or which having been cured in barrels shall have been afterwards laid in bulk, or any Herrings mixed or packed with any such Herrings as aforesaid, or any Herrings (other than Herrings repacked with great salt) of which the barrel shall not contain of net Fish exclusive of the weight of salt and brine, two hundred and twenty-four pounds weight; or any Herrings repacked with great salt, of which
67 the barrel shall not contain of net Fish exclusive of the weight of salt and brine, two hundred and twelve pounds weight; or any Herrings packed in any barrel which shall be of less content or capacity than thirty-two gallons English wine measure, or on which the name of the curer thereof and the name of the port or place where and the year when the same were cured, shall not be branded with an hot iron, in large, legible, conspicuous and permanent characters, and in manner directed by any rule or regulation which shall be made by the Commissioners for the Irish Fishery in that behalf, or on which such mark or marks, character or characters, shall not have been set at the Fishery as is directed by this Act, or shall not remain thereon distinctly legible, denoting the day on which the same were cured, and that the same were cured gutted, shall be produced to any officer of the Fishery to be branded in his presence, and certified by him for the purpose of obtaining the said bounty of
for the same, or which having been so produced and branded, shall be again produced to any such officer for the same purpose, all such Herrings with the barrel or barrels containing the same shall be forfeited, and shall and may be seized by any officer of the Fishery; and if any

Herrings (not forfeited) produced to obtain the Bounty, and by the Officer deemed not entitled thereto, the Proprietor insisting on

68 any Herrings, not being forfeited by this clause, shall be produced to any officer of the said Fishery for the purpose aforesaid, and such officer shall deem such Herrings to be of bad or indifferent quality, or not properly cured or packed, or the barrel or barrels in which the same shall be packed not to be of sufficient strength; and that for such

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the contrary, in what manner the dispute shall be settled.

such cause he shall think the curer thereof is not entitled to the said bounty of per barrel, such officer shall without delay apply by petition, stating the matter in dispute to any Justice of the Peace residing at or near the place where such Herrings shall be produced, giving notice thereof to the curer, that he may attend the hearing if he shall think fit; and such Justice of the Peace shall forthwith nominate and appoint two skilful persons who shall have no interest in the matter in dispute, one to be nominated by the officer and the other by the opposite party, and if either party shall fail to make such nomination before or at the time when he shall be required by authority of the said Justice (not being longer than hours from the time of being required to make such appointment) so to do, then the said Justice shall nominate one skilful person not interested in the matter in dispute, in his place, and the two persons so appointed, upon examination of the matters in 69
dispute, shall certify on their oaths, to be taken before the said Justice, their opinion on the matters aforesaid, and if they shall agree in their opinion, the matter in dispute shall be determined accordingly; but if the arbitrators so to be appointed shall differ in opinion thereon, the said Justice shall require them to name one other skilful person not interested in the matter in dispute, which person so nominated shall examine the matters in dispute, and upon such examination shall certify upon oath to be made before the said Justice, his opinion thereon, and the said matter shall then be finally determined accordingly.

Bounty allowed on additional barrels used in repacking, and on substituted barrels.

AND whereas Herrings unpacked out of barrels in which they were originally cured, cannot be repacked into the same number of barrels, and it therefore becomes necessary when the Herrings packed in any number of barrels are intended to be repacked, that an additional number of barrels be provided to contain the surplus of the said Herrings which shall remain after the original number of barrels shall have been filled with such Herrings; BE it further Enacted, That so much of this Act as requires that the bounty hereby granted shall not be paid or allowed for Herrings contained in any barrel on which 70
the marks and characters shall not have been set at the Fishery, or which shall not remain thereon distinctly legible, denoting the day on which the same were cured, and that the same were cured gutted, and also so much of this Act as requires that Herrings packed in any such barrel produced to any officer of the Fishery to be branded and certified for the purpose of obtaining the bounty, shall be forfeited, shall not extend to such additional number of barrels or any of them which shall be so provided, and in which such surplus of the said Herrings shall be so repacked as aforesaid, or to the Herrings contained therein, nor to any barrel or the Herrings therein contained, which barrel shall be different from that in which the same Herrings

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Herrings were originally cured and packed, in case such last mentioned barrel shall have been rendered unfit by accidental damage to contain such Herrings; but every barrel of such surplus Herrings, or of Herrings repacked out of such another barrel rendered unfit by accidental damage to contain the same as aforesaid, shall upon the oath of the curer thereof, verifying the fact before the proper officer of the Fishery, be deemed to be in the same plight or condition
71 within the meaning of this Act as if the barrel were the same in which the Herrings were originally cured, and on which the like marks or characters were set at the Fishery as directed by this Act.

Bung-packed Herrings, branded for Bounty, may be repacked and the surplus barrels branded, but no Bounty allowed thereon.

And be it further Enacted, That if the curer or proprietor of any number of barrels of Herrings bung-packed, on which the bounty granted by this Act shall have been allowed, shall intend to repack the same with great salt in the same barrels, and as many in addition thereto as with the original number shall be necessary to contain the same in a repacked state, the said curer or proprietor shall give twenty-four hours notice in writing under his hand, of his said intention, to the proper officer of the Fishery; and if upon production of the said Herrings so repacked as aforesaid, the said curer or proprietor shall upon the request note, (which, according to such regulations as shall be made by the said Commissioners for the Irish Fishery, he shall have delivered or cause to be delivered to the said officer,) make oath before him, that the Herrings contained in the barrels so produced (mentioning the number) in a repacked state, are the very same Herrings, without any addition or mixture whatever, that were originally in a bung-packed state, contained in that part (mentioning
72 the number) of the said barrels, whereof each is branded with marks or characters denoting that the bounty granted by this Act was allowed or paid thereon, and if the barrels of Herrings so produced shall, upon due inspection and examination, be found by the said officer to be each of them well cured, properly repacked, and in all respects such as a barrel of white Herrings, on which the said bounty is claimed or allowed, is by this Act required to be, he shall cause each of the said barrels in which the said Herrings were originally cured, and in which the greater part thereof shall be so repacked, to be branded with such marks or characters in addition to those which shall have been already branded thereon, as the Commissioners for the Irish Fishery shall direct, and as shall denote that the same are repacked, and by what officer the same were inspected and examined after the repacking thereof, and the said officer shall cause each of the barrels in which the remaining part of the said Herrings shall be repacked, to be branded with such marks or characters as by this Act are directed to be branded thereon, in case the same were produced to the said officer, in order to obtain the bounty granted by this Act, and had been by him deemed to be entitled thereto, with such addition

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to the same as the Commissioners for the Herring Fishery shall think fit to direct, and as shall denote that the same are so branded, under the authority of this provision; provided always, that no bounty shall be paid or allowed, nor shall any certificate be granted for that purpose, in respect of any such barrel or barrels of Herrings repacked and branded with such marks or characters, and with such addition thereto as last abovementioned, but that the same shall nevertheless be liable to forfeiture in all cases where any barrel or barrels of Herrings on which the said bounty shall have been allowed would by this Act be liable thereto. 73

Re-packed Herrings to be fifteen days in Salt before being entitled to Bounty.

And be it further Enacted, That no barrel of Herrings repacked or bung-packed, shall be deemed intitled to the bounty of per barrel granted by this Act, unless a space of time not less than days shall have intervened from and after the day when the said repacked Herrings were origiually cured and packed, and before the day when the same were begun to be repacked, or unless a space of time not less than days shall have intervened from and after the day when such bung-packed Herrings were originally cured and packed, and before the day when the same were completely bung-packed; and if any barrel of Herrings repacked or bung-packed shall be produced to any officer of the Fishery, in order to obtain the said bounty, not being entitled thereto according to the provisions of this Act, the same shall be forfeited, and shall and may be seized by any officer of the said Fishery. 74

Bounty not to be paid on Barrels under certain weight.

And be it further Enacted, That the bounty of per barrel, granted by this Act, shall not be paid or allowed for any barrel of Herrings bung-packed or repacked with small salt, which shall not contain, exclusive of salt and brine, two hundred and thirty-five pounds weight of Fish at the least; or for any barrel of Herrings repacked with great salt which shall not contain, exclusive of salt and brine, two hundred and twelve pounds weight of Fish at the least; and if any barrel of Herrings, bung-packed or repacked with small salt, and not containing, exclusive of salt and brine, two hundred and thirty-five pounds weight of Fish at the least, or if any barrel of Herrings repacked with great salt and not containing, exclusive of salt and brine, two hundred and twelve pounds weight of Fish at the least, shall be tendered to any officer of the Fishery in order to obtain the aforesaid bounty thereon, the same shall be forfeited, and shall and may be seized by any officer of the said Fishery.

Mixing Herrings cured in Bulk with others prohibited.

And be it further Enacted, That no Herrings cured otherwise than in bulk, shall be mixed with Herrings cured in bulk whether packed or not; nor shall any Herrings cured in bulk, or any Herrings which although otherwise cured shall have been afterwards laid in bulk, be packed in any barrel or cask unless the word "Bulk" shall have been first 75

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first branded thereon in manner herein directed; and if any Herrings cured otherwise than in bulk shall be mixed with Herrings cured in bulk, or if any Herrings cured in bulk or which although otherwise cured shall have been afterwards laid in bulk, shall be packed in any barrel or cask, barrels or casks, unless the word "Bulk" shall have been first branded thereon in the manner herein directed, and shall remain thereon distinctly legible, all such Herrings with the barrels or casks containing the same shall be forfeited, and shall and may be seized by any officer of the Fishery or Customs.

Herrings cured in Bulk, to be packed in Barrels marked "Bulk."

And be it further Enacted, That when any Herrings in bulk shall be brought or imported into any port or place in Ireland, from the Irish Fishery, or from any other port or place in Ireland, or in any of His Majesty's dominions, such Herrings shall upon the landing thereof be conveyed to a place proper for the packing of the same, and shall there without delay be packed in barrels, on each of which the word
76 "Bulk" shall have been first branded in the manner herein directed, and shall not afterwards be laid in bulk; and if any Herrings in bulk brought or imported from the Irish Fishery, or from any such other port or place as aforesaid, shall not upon the landing thereof be conveyed to such place as aforesaid, or shall not there without delay be packed in barrels on each of which the word "Bulk" shall have first been or within hours afterwards shall be branded in the manner herein directed, and shall remain thereon distinctly legible, or having been so packed shall be afterwards laid in bulk, the said Herrings with the barrels or other packages in which the same shall be contained shall be forfeited, and shall and may be seized by any officer of the Fishery; provided always, that no Herrings cured or laid in bulk which shall be intended to be made into Red Herrings, and which on the landing thereof shall be conveyed to a manufactory of Red Herrings, shall be required to be packed in barrels so marked as directed by this Act, nor shall any Herrings cured or laid in bulk which on the landing thereof were packed in barrels, on each of which the word "Bulk" shall have been branded in the manner herein di-
77 rected, be forfeited for being afterwards taken out of such barrel at a manufactory of Red Herrings, provided the same shall be immediately put in process for being made into Red Herrings.

Refuse of Red Herrings to be packed and marked "Refuse."

And be it further Enacted, That all Herrings being the refuse of the manufactory of Red Herrings, shall be packed in barrels, on each of which the word "Refuse" shall have been branded in the manner herein directed; and all such Herrings not packed in barrels, on each of which the word "Refuse" shall be so branded, and shall remain distinctly legible, as well as all Herrings whatever mixed with Herrings of the said description, whether packed or not, shall be forfeited, and shall and may be seized by any officer of the Fishery or of the Customs.

312. Provided

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Barrels containing Herrings cured in Pickle in tight Vats, Pits, Cisterns and Hogsheads, not to be marked "Bulk."

Provided always, That so much of this Act as enacts that Herrings cured otherwise than in bulk shall not be mixed with Herrings cured in bulk, and that Herrings cured in bulk shall not be packed in any vessel or cask unless the word "Bulk" shall have been branded thereon in manner herein directed, shall not extend or be construed to extend to Herrings cured originally in bulk in tight vats, pits, cisterns, hogsheads, or casks of a larger size than hogsheads, and therein preserved in the pickle produced by their original cure till 78
the same shall have been packed in barrels, and which having been so packed in barrels shall not have been afterwards laid in bulk, or to any Herrings cured otherwise than in bulk mixed with Herrings so cured as last above described.

White Herrings repacked going coastwise for Exportation, to be accompanied with certificate that they were not repacked before the elapse of fifteen days from the day when first cured.

And be it further Enacted, That whenever any White Herrings repacked shall be intended to be shipped or put on board any vessel or boat, at any port or place in Ireland, in order to be carried coastwise to any other port or place therein, in order to be exported from thence for any port or place out of Europe, the person intending to ship the same shall give notice of such intention to the officer of the Fishery at the port or place of shipping, and shall in such notice declare that the said Herrings were not repacked till after the expiration of days at the least from the day when the same were first cured and packed; and such officer shall attend and see the same shipped; and if it shall appear that the Herrings so shipped shall have been repacked days at the least from the day when they were first cured and packed, the said officer shall give a certificate thereof under his hand to the master of the vessel or boat in which the said Herrings shall be so shipped to be carried coastwise, specifying the marks on the barrels and the 79
name of the vessel or boat in which the same shall have been so shipped, the name of the master thereof, and the port for which the same shall be bound.

Herring Barrels not to be made in whole or in part of Fir, to be half an inch throughout, and to contain 32 Gallons English Wine Measure, 29 G. 2. c. 23.

And be it further Enacted, That from and after no White Herrings shall be cured, packed or put up in Ireland, or on board any vessel or boat employed in the Irish Fishery, in any barrel which shall be made in whole or in part of fir, or which shall not be one-half part of an inch in thickness throughout of made work, or which shall not contain thirty-two gallons English wine measure; and that if any White Herrings shall be cured, packed or put up in any barrel which shall be made in whole or in part of fir, or which shall not be one-half part of an inch in thickness throughout of made work, or which shall not contain thirty-two gallons English wine measure, all such Herrings, with the barrel containing the same, shall be forfeited, and shall and may be seized by any officer of the Fishery, Customs or Excise.

And

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And be it further Enacted, That no White Herrings shall be exported or shipped from Ireland, or tendered to any officer of the Irish Fishery or of the Customs to be shipped for exportation at any port
80 or place in Ireland for any port or place whatever, unless the barrel in which the same shall be packed shall be at least half an inch in thickness at the bulge, or for any Foreign port or place in Europe unless such barrel shall be bound with sixteen hoops at the least made of wood or iron; nor shall any such Herrings be exported or shipped or tendered to be shipped as aforesaid, for any port or place out of Europe, unless the barrel in which the same shall be packed shall be a new barrel and full bound, and have one iron hoop at each end; nor unless such Herrings shall have been repacked, and a space of time not less than shall have intervened from the day when the same were originally cured and packed before the same were repacked, all which shall be made to appear to the satisfaction of the proper officer of the Fishery and of the Customs, at any port or place to which the same shall have been brought Coastwise for exportation by certificate to be granted by the proper officer of the Fishery at the port or place from which the same were so sent coastwise as aforesaid, and oath made thereon by the exporter or his agent before any such officer, that the Herrings tendered for expor-
81 tation are the same that were brought coastwise with such certificate; nor shall any barrel of white Herrings be exported or shipped, or tendered to any such officer as aforesaid to be shipped for exportation at any port or place in Ireland for any port or place whatsoever, being branded with any mark or character to denote that the curer thereof is or was entitled to the bounty of per barrel hereby granted, unless the same shall in all respects be such as is by this Act required to entitle the curer thereof to the said bounty; nor shall any barrel of white Herrings be shipped for exportation, till the proprietor or his agent shall have produced the same to the proper officer of the Fishery, and performed every thing which shall have been required of him by the said officer, and which the curer, on producing the same in order to obtain the bounty thereon, is by this Act required to perform; nor shall the same be so shipped without the presence of the said officer; and that all White Herrings, with the barrels containing the same, which shall be exported shipped or tendered to be shipped for exportation contrary to this Act, shall be forfeited, and shall and may be seized by any officer of the Fishery or of the Customs.

Herrings prohibited to be exported, except in certain sorts of Barrels, &c.

Provided always, and be it Enacted, That so much of this Act as directs that no White Herrings shall be exported or shipped, or
82 tendered to be shipped for any port or place out of Europe, unless such Herrings shall have been repacked, and a space of time not less than days shall have intervened from the day when the same were originally cured and packed, and before the same were repacked,

Certificate for repacked Herrings sent coastwise not required for Herrings branded for Bounty.

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repacked, to be made to appear by certificate of the proper Officer of the Fishery, and oath of the exporter or his agent, shall not extend or be construed to extend to any barrel of Herrings in respect of which it shall appear by the mark thereon that the said bounty of shall have been allowed.

Barrels under weight not allowed to be exported.

And be it further Enacted, That if any barrel of Herrings repacked with great salt, which shall not contain, exclusive of salt and brine, the quantity of Fish hereinafter mentioned respectively, at the least (that is to say) if intended to be exported to any port or place in Europe two hundred and twenty-four pounds weight, or if intended to be exported to any port or place out of Europe two hundred and twelve pounds weight, shall be shipped or tendered to any officer of the Fishery in order to be shipped for exportation to any such port or place as aforesaid respectively; or if any barrel of Herrings, being packed or repacked with small salt, which shall not contain, exclusive of salt and brine, two hundred and thirty-five pounds weight of Fish at the least, shall be shipped or tendered to any officer of the 83
Fishery in order to be shipped for exportation to any port or place in Europe, the same shall be forfeited, and shall and may be seized by any officer of the Fishery.

If tendered to be shipped, forfeited.

Officer to inspect Herrings tendered for Exportation

AND in order to prevent any frauds in the exportation of Herrings, BE it further Enacted, That every officer of the Fishery to whom any barrels of White Herrings shall be produced or tendered in order to be shipped for exportation, shall examine the same, and inspect and weigh the Herrings in such and so many of the barrels as he shall think proper, in order to ascertain whether the said barrel or barrels of Herrings be in all respects such as may lawfully be exported or shipped to be exported to the port or place for which the same shall be entered; provided always, that if any White Herrings, contained in any barrel or barrels which shall be so marked with any mark or character to denote that the curer thereof is or was entitled to the said bounty of per barrel as aforesaid, not being prohibited to be exported for any cause other than on due examination their being found to be of such description as not to entitle the curer thereof to the bounty of per barrel, and not of such a description as would make them liable to forfeiture in case they were produced by the curer with intent to obtain the said bounty, shall be tendered to any officer of the Fishery 84
to be shipped for exportation, and such officer shall deem such Herrings to be of bad or indifferent quality, or not properly cured or packed, or the barrel or barrels in which the same shall be contained not to be of sufficient strength, and that for such cause the same cannot be allowed to be exported or shipped for exportation, according to the true intent and meaning of this Act, the Herrings or the barrels containing

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taining the same shall not be forfeited; and if in the event of a refusal to allow the exportation, for any of those causes, the proprietor shall not be satisfied with the opinion of the officer, the matter in dispute shall be settled and determined in the same manner as is hereinbefore directed in the case of a like dispute arising between the curer of Herrings and the officer of the Fishery to whom the same shall be produced, in order to obtain the said bounty of
per barrel.

Regulations regarding White Herrings imported from Ireland, Isle of Man, or other place in the King's Dominions.

And be it further Enacted, That when any White Herrings packed in barrels or casks shall be imported or brought into any port or place in Ireland from any port or place in Great Britain or the Isle of Man, or from any other island or colony under His Majesty's dominion, the barrels or casks containing the said Herrings shall have been, or
85 within hours after the landing thereof, and before the same shall be put into any warehouse, shall be branded with such word or words as after mentioned respectively; (that is to say,) if imported from any port or place in Great Britain, with the word "British;" if imported from the Isle of Man, with the word "Manx;" if imported from any other island or colony under His Majesty's dominion, with a word or words descriptive of the name of such other island or colony respectively; which word or words shall be branded on every such barrel or cask respectively in the manner herein directed, and shall remain thereon distinctly legible; nor shall any such Herrings be afterwards packed in any other barrels or casks, unles such word or words respectively as aforesaid shall have been so branded thereon as aforesaid; nor shall any such Herrings be laid in bulk or mixed with any other Herrings, unless the same shall be so laid in bulk or mixed in a manufactory of Red Herrings, for the purpose of being made into Red Herrings; and if any White Herrings imported in barrels or casks from any such port or place as is above mentioned, shall be found in bulk or mixed with any other Herrings unless as aforesaid, or packed in barrels or casks on which such word
86 or words shall not have been branded respectively, or shall not remain thereon distinctly legible as aforesaid, contrary to this Act, all such Herrings, with the barrels or casks containing the same, shall be forfeited, and shall and may be seized by any officer of the Fishery or of the Customs: Provided always, That nothing in this Act contained relative to the size or thickness of the barrels or half barrels in which White Herrings shall be packed, or against their being made of fir, or relative to the exportation of White Herrings, shall extend or be construed to extend to White Herrings imported in barrels or casks from Great Britain, the Isle of Man, or from any other island or colony under His Majesty's dominion, such barrels or casks being branded in the manner herein directed.

 And

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No Coast Sufferance or Cocket, or Landing Sufferance from the Customs, shall be required for Salt, Nets, &c. for the Herring Fishery, or Herrings, Salt, &c. from thence.

And be it further Enacted, That it shall be lawful to ship or put on board any buss vessel or boat, at any port or place in Ireland where an officer of the Fishery shall be stationed for the Irish Fishery, salt, nets, barrels and other fishing stores and provisions for the sustenance of the crew thereof, and to carry and convey the same to the said Fishery, without a sufferance or warrant or coast cocket from the officer of the customs; and also to unship and land Herrings and salt, nets barrels and other fishing stores, out of any buss vessel or boat from the Irish Fishery, without a sufferance or warrant from the offices of 87
the customs, and without the presence of an officer of the customs, except in any case where any special provision is made to the contrary in this Act, provided the same be respectively shipped or put on board, carried landed or unshipped, in the manner and according to the regulations of this Act: Provided also, that nothing herein contained shall extend to repeal any provisions in any Act made for securing the duties on salt, with respect to shipping carrying or landing salt.

Officer of the Fishery to transmit copies of Documents of the Salt, &c. shipped, and Herrings, Salt, &c. landed, to the Collector, &c. of the Customs.

AND in order that the proper officer of the customs and excise may be informed of, and be enabled to register the true quantities of all salt, nets, barrels, or other Fishing stores, shipped at the respective ports of Ireland for the Irish Fishery, and of all Herrings, salt, nets, barrels, and other Fishing stores brought from the Irish Fishery, and landed at the respective ports of Ireland; BE it Enacted, That every officer of the said Fishery, by whom any licence or certificate shall be granted to the master of any buss vessel or boat, specifying the respective quantities of salt, nets, barrels, or other Fishing stores, shipped or put on board such buss vessel or boat, at any port or place of Ireland for the Irish fishery, shall, without delay, transmit to the collector, comptroller, or other chief officer of the customs at such port, a copy of the licence or certificate so granted by him, and every 88
officer of the said Fishery by whom an account shall be taken of any Herrings, salt, nets, or other Fishing stores, landed out of any buss vessel or boat from the Irish Fishery at any port or place in Ireland, shall without delay transmit to the collector and comptroller or other chief officer of the customs at such port, a copy of the account so taken by him as aforesaid, with the name of the buss vessel or boat, the name of the master thereof, and the port where the same was fitted or cleared out for the said Fishery.

Herrings may be cured and packed in half Barrels.

And be it further Enacted, That it shall be lawful to cure and pack Herrings taken in the Irish Fishery, in half barrels, each of which shall contain sixteen gallons English wine measure, and that the bounty of per barrel, and the drawback by this Act granted and allowed, shall be granted allowed and paid for Herrings contained in such half barrels, two such half barrels being accounted equal to one barrel; provided that such half barrels, and the Herrings

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Herrings contained therein, shall be subject and liable to all the regulations penalties and forfeitures by this Act provided and imposed, in the same manner as if the said Herrings were packed in barrels.

89 And be it further Enacted, That every half barrel of White Herrings, bung-packed or repacked, shall contain half the quantity of Fish, exclusive of salt and brine, which a barrel of Herrings bung-packed or repacked is by this Act required to contain respectively, and shall be entitled to half of the bounty, and be subject to all rules, regulations, penalties and forfeitures, to which a barrel of Herrings in the like case is liable.

Half Barrels repacked, entitled to half Bounty.

And be it further Enacted, That it shall be lawful for any officer of the Fishery to go and remain on board any buss vessel or boat, having on board any salt, barrels or other Fishing stores in Ireland, intended for the Irish Fishery, or being at any place where Herrings shall be taken and cured, or proceeding from any such place for any port or place in Ireland, to examine the condition of all Herrings, salt, barrels or nets on board of any such buss vessel or boat, and to put any mark or marks on the barrel or barrels in which any Herrings shall be contained on board thereof, and to take an account of the names and descriptions of the crew of such buss vessel or boat; and the master of every such vessel or boat shall, if required by any officer of the Fishery so to do, produce and deliver to such officer for his inspection the certificate of registry (if such vessel or boat shall be liable to registry) 90 and the licence, certificate or declaration, which he shall or ought to have on board, and shall give to such officer a true account of the name of the owner or of each of the owners of such buss vessel and boat, and of the place where such owner resides, and the name of each of the crew thereof; and if any master of any such buss vessel or boat as aforesaid, shall not, upon being required by any officer of the Fishery so to do, comply with all or any of the requisitions herein contained, every person so offending shall forfeit and lost the sum of

Officers of the Fishery may go and remain on board Vessels or Boats, inspect Documents, &c.

And be it further Enacted, That upon every boat which shall be employed in the Irish Fishery within the limits of four leagues of the coast of Ireland, there shall be painted in white Roman letters, not less than inches in length, on a black ground, the name of the place to which the same shall belong, on a conspicuous place outside of the stern, and the name or names of the owner or owners thereof on a conspicuous place inside of the stern; and every boat employed in the said Fishery, within the limits or distance aforesaid, on which such names as aforesaid shall not be painted in manner before directed, shall be forfeited, and shall and may be seized by any officer of the Fishery, customs or excise.

Boats employed in the Irish Fishery to have Name of the Place to which they belong, and Name of Owner painted thereon.

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Officers of the Fishery may enter Warehouses, Storehouses, &c. of Fish Curers.

And be it further Enacted, That it shall be lawful for any officer of the Fishery at all times when Herrings are curing and packing or repacking, and at all other times in the day (or if in the night in the presence of a constable or other officer of the peace) to enter and come into any cellar or warehouse of any curer of Herrings, or into any place where Herrings shall be cured packed or repacked, to view and inspect Herrings during the time of their being cured packed or repacked, and to put such a mark or marks on any barrel or barrels in which they shall be packed or repacked, as they shall think fit; which mark or marks shall not be altered or defaced. 91

Size of letters in Words, required by this Act, to be branded on Barrels.

And be it further Enacted, That where any word or words is or are by this Act directed or required to be branded on any barrel or cask, the same shall be so branded with an hot iron on the bulge thereof in legible conspicuous and permanent letters, whereof each shall not be less than in length.

Persons wilfully making false Oath, guilty of Perjury.

And be it further Enacted, That every person before whom any oath is hereby directed or required to be made, shall be and every such person is hereby authorized and required to administer such oath; and if any person or persons shall wilfully make a false oath respecting any thing which by this Act is required to be sworn, every such person shall upon conviction be liable to the punishment of .

Penalty on Persons fraudulently branding Barrels of Herrings with marks appointed to be branded by Officers, &c. or falsifying documents.

And be it further Enacted, That if any person other than an officer of the said Fishery, or not being authorized by, or without the presence of, such officer, shall fraudulently burn or brand, or cause to be burnt or branded, or have in his custody or possession any instrument for the purpose of burning or branding on any barrel or cask of Herrings, any mark or marks, character or characters, which by virtue of this Act shall be appointed or directed to be burnt or branded on any barrel of Herrings, by order and in presence of such officer, or any mark or character in imitation thereof; or if any person shall alter eraze or falsify any licence, certificate, account, declaration, oath or other document prescribed by this Act, every person so offending, on being convicted thereof before a Justice of the Peace of the county where the offence shall be committed or the offender found, shall, for every such offence, forfeit and pay a sum of money not exceeding or suffer imprisonment for any time not exceeding months; and every barrel or cask on which any such mark or character shall be fraudulently burnt or branded as aforesaid, with the Herrings therein contained, and every instrument which shall be in the possession of any person for the purpose of fraudulently burning or branding the same, shall be forfeited, and shall and may be seized by any officer of the Fishery, customs or excise. 92 93

And

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And be it further Enacted, That if any mark set or branded on any barrel of Herrings, by any officer or officers of the Fishery, pursuant to this Act, or to any rules or regulations which shall be made by the said Commissioners for the Irish Fisheries, shall be altered or defaced, every such barrel, with the Herrings therein contained, shall be forfeited, and shall and may be seized by any officer of the Fishery.

Penalty for altering or effacing marks.

And be it further Enacted, That the Commissioners for the said Irish Fishery shall be and they are hereby empowered to fix and determine, by rules or regulations to be made by them for that purpose, the content or capacity of every measure by which fresh Herrings taken in the Irish Fishery shall be bought and sold, also the form or dimensions thereof, the sort or sorts of wood of which it shall be made, the thickness of every part thereof, the number and dimensions of the hoops with which it shall be bound, and whether the whole or what part of such hoops shall be of iron, and also to determine and direct what marks or characters shall be set, and upon what part or parts of every such measure, as also to appoint a fit person or persons at such place or places as they shall think proper, to examine the same; 94 and upon finding any such measure to be conformable in all respects to the rules or regulations to be made by the said Commissioners as aforesaid, to cause such marks or characters as aforesaid to be branded thereon with an hot iron, in his presence, according to the rules and regulations aforesaid; and if at any time after the day of any measure not so marked or branded as aforesaid, shall be made use of in the buying or receiving, selling or delivering of fresh Herrings in the Irish Fishery, or on any part of the coast or shores of Ireland, every person so making use thereof, shall forfeit the said measure, and also the sum of and the Commissioners for the said Irish Fishery shall cause the said measure to be destroyed; and that the provisions made by this Act against the fraudulent branding of barrels of Herrings with any mark or character by this Act appointed to be branded thereon, by order and in presence of an officer of the Fishery, shall extend and be construed to extend to the subject of this provision, and be put in execution against any person or persons fraudulently branding any measure with such marks or characters as shall be appointed by the said Commissioners, or with any marks or characters counterfeiting the same.

Commissioners empowered to fix the measure by which Fresh Herrings are to be bought and sold.

95 And be it further Enacted, That if any person or persons shall bring into any port haven or creek of Ireland, any Herrings which shall not be good, sweet, seasonable and meet for man's meat, or which shall not be packed in barrels or in bulk regularly and in layers, and not heaped together, unless the same shall be landed for the express purpose of smoaking, where houses are built expressly for that purpose

Persons who bring Herrings to any Port, &c. to be sold, which shall not be meet for man's meat, and packed as herein, forfeit the same.

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purpose, in the manner of Yarmouth, commonly called Red Herrings, and shall offer the same to be sold, then all and every person or persons, owners thereof, being convicted thereof before the chief magistrate or collector of such port haven or creek, or any justice of the peace, shall lose and forfeit the same, and such part of such Fish as shall not be good sweet and seasonable, shall be thrown into the sea, and the rest shall be forfeited for the use of the poor.

Persons resisting, &c. Officers of the Fishery, to forfeit £. 50.

And be it further Enacted, That if any person or persons shall assault, resist, oppose, molest or hinder any officer or officers of the Fishery, or any person or persons acting in his or their aid or assistance in the execution of this Act, or of any matter or thing therein contained, every such person so offending shall for every such offence forfeit and pay the sum of

Penalty on Officers receiving Fees.

And be it further Enacted, That if any officer of the said Fishery shall demand take or receive, directly or indirectly, any fee gratuity or 96
reward whatever, other than such salary as shall be allowed him by the Crown, for any thing done by him in the execution of this Act, or of his office or employment aforesaid, every such officer on being convicted thereof, shall forfeit his office and the sum of
and shall be deemed thenceforth incapable of being employed in any office or employment under the Crown.

Commissioners to appoint the forms of documents, and the manner of carrying this Act into execution.

And be it further Enacted, That the Commissioners for the said Irish Fishery shall and they are hereby authorized to make rules and regulations directing in what form and manner every journal, declaration or account required by this Act shall be kept or made, and by what means and methods the provisions of this Act shall be observed, performed and put in execution, according to the true intent and meaning thereof, with respect as well to Herrings as to other Fish taken and cured, with intent to claim any of the Bounties granted by this Act, and in particular for sorting the Herrings taken (that is to say) for packing or repacking Herrings of one class separately from Herrings of another class, or from any other Herrings whatever, such class to be determined and defined in and by such 97
rules or regulations as aforesaid, according to size or other description or denomination, as to the said Commissioners shall appear most conducive to the improvement of the said Fishery, the Herrings of each class to be distinguished by such mark or character respectively as in and by the said rules and regulations shall be directed; and whenever any Herrings, sorted according to such rules or regulations as aforesaid, shall be produced to any officer of the Fishery according to the directions of this Act, such officer being satisfied that such Herrings are duly sorted and to what class the same ought to belong, he shall cause such mark or character to be burnt on each barrel in his presence, as by the said rules and regulations shall be directed, in order

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order to denote how the said Herrings should be classed; and the said Commissioners are hereby authorized to make rules or regulations, directing what marks or characters shall be set or branded on any barrel or barrels of Herrings for the purposes of this Act respectively, the size of every such mark or character, and the part of the barrel on which the same shall be set or branded, and the manner in which
98 any mark or character not hereby required to be branded shall be set thereon, which rules and regulations they are hereby required to make public in the manner which shall appear to them likely to be most effectual for the information of the parties interested therein; and if any mark or character shall be set or branded on any barrel of Herrings, for any of the purposes of this Act, in any manner which shall not be conformable to the special provisions of this Act, or to such rules or regulations as aforesaid; or if any mark or character, more than the true or proper mark or marks, character or characters, prescribed by this Act, and by such rules or regulations as aforesaid, shall be set or branded on any barrel of Herrings, the curer or curers, proprietor or proprietors thereof, shall not be entitled in respect of the same to claim any benefit by this Act provided for any barrel of Herrings marked or branded according to the true intent and meaning thereof; and if any journal, declaration, account, or oath, by this Act required to be kept or made, or any thing required by this Act to be done or performed, by or on behalf of any curer or proprietor of Herrings, or owner or owners, or master of any ship vessel or boat, shall respectively be kept, made, done, or performed, in any form
99 or manner not conformable to such rule or regulation as aforesaid, such person or persons shall not be entitled to claim any benefit by this Act, to which such person would have been entitled in case such journal, declaration, account, or oath, or other matter or thing, had been respectively kept, made done or performed, according to the true intent and meaning of this Act.

Commissioners may alter Rules.

And be it further Enacted, That the Commissioners for the said Irish Fisheries shall be and they are hereby authorized and empowered to revoke and annul, or alter or vary, any rule or regulation made by them pursuant to this Act, and in lieu thereof to make another rule or regulation for the same purpose, which shall be of full force.

Commissioners shall prepare and distribute Abstract of the Bounties and Regulations under this Act.

And be it further Enacted, That the said Commissioners for the said Irish Fisheries shall from time to time prepare or cause to be prepared and printed, an Abstract or short Statement of the several Bounties granted by this Act, and of the conditions on which such bounties are payable, and of the regulations to be observed in the deep sea and coast Fisheries, in such manner as may be easily understood by the Fishermen and others employed in the said Fisheries; and shall cause such abstract or statement, signed with the name of

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three of the said Commissioners for the said Fishery, to be distributed at the several ports and places to which the persons employed and concerned in the said Fishery shall resort, and to be delivered to the masters of the several vessels, and stuck up in the cabin of every Fishing vessel, for the information of the crew. 100

Inhabitants of the United Kingdom may at all seasons, subject to the Regulations of this Act, freely fish for, buy or cure Herrings, &c. on any part of the coasts, except such places as are reserved for preservation of the Fry, and better regulation of the Fishery.

And be it further Enacted, That it shall and may be lawful for the inhabitants of the United Kingdom of Great Britain and Ireland, at all times and seasons of the year when they shall think proper (subject nevertheless to the several regulations contained in this Act) freely to fish for, take and buy from fishermen, and cure, any Herrings, Mackerel, Cod and Ling, or other sorts of White Fish, in all and every part of the seas creeks and bays wheresoever such Fish are to be found or can or may be taken on the coasts of Great Britain or Ireland; save only in such places as may be reserved by the Superintendants or by order of the Commissioners of the said Fisheries of Ireland, for the preservation of the Fry, and for the better order and regulation of the Fishery; and that no other person or persons except such Superintendant shall, under any pretence whatsoever, presume to obstruct or hinder any person or persons from fishing in the places aforesaid; nor shall any person presume to demand or receive any dues, sums of money, or other consideration whatsoever, from the inhabitants of the United Kingdom, for the use of any ports harbours or waste shores on the coasts of Ireland, except for the payment of such harbour or pier duties as are and by law ought to be demanded for ships vessels and boats in piers and harbours which are built and artificially made; and that every person or persons so offending shall for every such offence forfeit the sum of to be recovered and levied and applied as other forfeitures are hereinafter directed to be levied recovered and applied: Provided always, That nothing herein contained shall be construed to extend to the giving a power to enter upon or use the demesne grounds gardens or park of any gentleman, without leave having been previously obtained for that purpose. 101

Persons obstructing them forfeit £. 20.

Not to enter upon any demesne, &c. without leave.

Persons who drudge for or take Oysters in the Lough of Carlingford, &c. at the times herein mentioned, forfeit the drudge, &c. and 40*s*.

And be it further Enacted, That any person who shall drudge for or take Oysters in any part of the Lough of Carlingford, between the bar of Carlingford and the Castle of Narrow Water, from and after the first in the month of until the first in the month of and in any other part of Ireland between the first day of and the day of in any year, shall forfeit the drudge-net or other machine with which the same shall be drudged for or taken, as also the sum of to be recovered and applied in the same manner as other forfeitures and penalties in this Act mentioned are hereinafter directed to be recovered and applied.

And

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102 And be it further Enacted, That any fine, penalty or forfeiture by this Act imposed, except in any case where other provision is hereby made, shall be sued for, recovered, levied and mitigated, as any fine, penalty or forfeiture may be sued for, recovered, levied and mitigated, by any law or laws of customs or excise, or by action of debt, bill, plaint or information in any of His Majesty's courts of record at Dublin respectively; and one moiety of such fine, penalty or forfeiture shall be to the use of His Majesty, His Heirs and Successors; and the other moiety to such person or persons as shall inform or sue for the same.

Penalties and Forfeitures how to be sued for.

Provided always and be it Enacted, That whenever any Herrings, Fish barrels or casks, salt, nets or netting, or any boats, shall be seized as forfeited by virtue or in pursuance of this Act, it shall and may be lawful to and for the Commissioners for the said Irish Fisheries, on evidence given to their satisfaction that the forfeiture arose without any intention of fraud in the proprietor or proprietors, claimant or claimants, and person or persons having the custody care or management for the time being of such Herrings, Fish barrels or casks, salt, nets, netting or boats, to order the same to be restored to such proprietor or proprietors or claimant or claimants, in such manner and
103 on such terms and conditions, as under the circumstances of the case shall appear to the said Commissioners to be reasonable, and as they shall think fit to direct; and if such proprietor or proprietors, or claimant or claimants, shall comply with the terms and conditions prescribed by such Commissioners, it shall not be lawful for such Herrings, Fish barrels or casks, salt, nets or netting, or boats, to be proceeded against in any manner for the condemnation thereof; but if such proprietor or proprietors, or claimant or claimants, shall not comply with the terms and conditions prescribed by the said Commissioners, such Herrings, Fish barrels or casks, salt, nets or netting, or boats, may and shall be proceeded against, for the condemnation thereof, as if this provision had not been made; provided always, that if such proprietor or proprietors, or claimant or claimants, shall accept the terms and conditions prescribed by the said Commissioners, such proprietor or proprietors, or claimant or claimants respectively, shall not, nor shall any of them, have or be entitled to any recompence or damage on account of the seizure or detention of such Herrings, Fish barrels or casks, salt, nets or netting, or boats.

Commissioners authorized to remit forfeitures of Fish, &c.

And be it further Enacted, That all privileges protections and provisions, given and ordained by any Act or Acts in force in Ireland, for Justices of the Peace or officers of the Customs and Excise, on the
104 occasion of their acting in the execution of their respective offices, as to any action or suit, or the tendering of amends or the payment of costs or other thing whatsoever, shall extend to the aforesaid Com-

Provisions relating to Justices, &c. in the execution of their offices, to extend to this Act.

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missioners of the Irish Fisheries, and to the Superintendant and the officers of the Fisheries appointed in pursuance of this Act, and to all persons appointed to act under them, or acting in their aid or assistance in the execution thereof.

Officers not liable to suits for acts done in enforcing this Act

And be it further Enacted, That no Superintendant or other officer acting in the execution of any of the provisions of this Act, or in the enforcing any rules and regulations made and in force under the authority thereof, shall be deemed a trespasser, or be liable to any action suit or prosecution, for or by reason of any act matter or thing done in the execution of his office, and for the carrying the provisions of this Act into execution, and enforcing any rules or regulations established under the same and not done by him maliciously; and if any person shall bring a suit or action for any such matter or thing, and the court or jury shall find that the same was not done maliciously, such person shall be nonsuited and pay costs to the defendant.

Sess. 1818.

(Ireland.)

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B I L L

For the further Encouragement and better Regulation of the *Irish* Fisheries.

Ordered, by The House of Commons, *to be Printed,* 15 *May* 1818.

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